

LAND USE COMMITTEE

Council of the County of Maui

MINUTES

June 17, 2015

Council Chamber, 8th Floor

CONVENE: 1:33 p.m.

PRESENT: VOTING MEMBERS:

Councilmember Robert Carroll, Chair
Councilmember Michael P. Victorino, Vice-Chair (in 2:00 p.m.)
Councilmember Gladys C. Baisa (out 3:46 p.m.)
Councilmember Elle Cochran
Councilmember Don Couch
Councilmember Stacy Crivello (out 3:46 p.m.)
Councilmember Don S. Guzman

STAFF:

Scott Jensen, Legislative Analyst
Raynette Yap, Committee Secretary

Dawn Lono, Council Aide, Hana Council Office (via telephone conference bridge)
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)
Ella Alcon, Council Aide, Molokai Council Office (via telephone conference bridge)

ADMIN.:

William Spence, Planning Director, Department of Planning
Kurt Wollenhaupt, Planner V, Department of Planning
Kyle Ginoza, Director, Department of Environmental Management
Scott English, Lieutenant, Department of Fire and Public Safety
Jo-Ann Ridao, Director, Department of Housing and Human Concerns
Robert Halvorson, Chief of Parks Planning and Development, Department of Parks and Recreation
Stephen Orikasa, Captain, Department of Police
Rowena Dagdag-Andaya, Deputy Director, Department of Public Works
Nolly Yagin, Engineering Division, Department of Public Works
Eva Blumenstein, Planning Program Manager, Department of Water Supply
Michael Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel

OTHERS:

Mike Moran
Morgan Gerdel
Todd Lawson
Jay April
Sandra McGuinness
Garrett Marrero
Dick Mayer

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

Albert Perez
Lucienne de Naie
Leslie Wilkins
Jordan Hart, Chris Hart & Partners, Inc.
Brett Davis, Chris Hart & Partners, Inc.
John Buetler, Chris Hart & Partners, Inc.
Reed Ariyoshi, Warren S. Unemori Engineering, Inc.
Steve Perkins, Project Coordinator, Pacific Rim Land, Inc.
Thomas Holiday, Hallstrom Group
Philip Matsunaga, Parsons Brinckerhoff
Tom Nance, Tom Nance Water Resource Engineering
Kimokeo Kapahulehua, Hana Pono
Jaap Eijzenga, SMCA Environmental Consultants
Michael Dega, Scientific Consultant Services, Inc.
Plus (19) Others

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

CHAIR CARROLL: . . .*(gavel)*. . . Land Use Committee meeting of June 17, 2015 will come to order. I'm Councilmember Robert Carroll, Chair of the Land Use Committee. First of all, my request to anybody that has cell phones or anything that makes noise, please turn it off now. We have voting members of the Committee here with us today. Vice-Chair of the Council, Mr. Don Guzman.

COUNCILMEMBER GUZMAN: Good afternoon, Chair.

CHAIR CARROLL: Stacy Crivello.

COUNCILMEMBER CRIVELLO: Good afternoon, Chair.

CHAIR CARROLL: Don Couch.

COUNCILMEMBER COUCH: Good afternoon, Chair.

CHAIR CARROLL: Elle Cochran.

COUNCILMEMBER COCHRAN: Aloha, Chair.

CHAIR CARROLL: And Gladys Baisa.

COUNCILMEMBER BAISA: Good afternoon, Chair.

CHAIR CARROLL: And joining us afterwards will be Mr. Victorino, our Vice-Chair of the Committee. We have with us the Executive Branch representatives Will Spence and Kurt Wollenhaupt, Department of Planning.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

MR. SPENCE: Good afternoon, Chair.

CHAIR CARROLL: Kyle Ginoza, Director of Environmental Management; Lieutenant Scott English, Department of Fire and Public Safety; Jo-Ann Ridao, Director of Housing and Human Concerns; Robert Halvorson, Chief of Planning and Development, Parks and Recreation; Captain Stephen Osaka [sic], Department of Police; Rowena Dagdag-Andaya, Deputy Director of Public Works; Eva Blumenstein, Planning Program Manager, Department of Water Supply; Mike Hopper, Corporation Counsel. Applicant's representative we have Jordan Hart, Betty [sic] Davis, and John Buetler of Chris Hart and Partners; Reed Ariyoshi, and Warren S. Unemori Engineering Inc.; Stephen Perkins, Project Coordinator of Pacific Rim Land, Inc. Representing the applicant, Thomas Holiday of Hallstrom Group, market and assessment economic impact affordable housing assessment; Philip Matsunaga, Parsons Brinckerhoff, Traffic Engineers; Tom Nance, Tom Nance Water Resources Engineering. It's for groundwater assessment. Kimokeo Kapahulehua, cultural impact assessment. Jaap, and I know I'm going to pronounce this wrong, Eijzenga, SMCA Environmental Consultant for flora, fauna research for the project. Dr. Mike Dega, Scientific Consultant Services Inc. is for archaeological inventory survey. For our Committee Staff we have Raynette Yap, Committee Secretary, and Scott Jensen, our Legislative Analyst. Today we have a single item on our agenda, Community Plan Amendment and Change of Zoning for the Maui Research and Technological Park. Kihei UL [sic]-4. Regarding interactive communications, Hana, are you with us today?

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

CHAIR CARROLL: Thank you. Lanai, are you with us today?

MS. FERNANDEZ: Good afternoon, Chair. This is Denise Fernandez on Lanai.

CHAIR CARROLL: Thank you. Molokai, are you with us today?

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

CHAIR CARROLL: Thank you. For individuals who will be testifying in the Chamber please sign up at the desk located at the 8th floor lobby just outside the Chamber door. If you will be testifying from remote testimony locations specified on the meeting agenda please sign up with the Council Staff at that location. Testimony will be limited to items on the agenda today. Pursuant to the Rules of the Council, each testifier will be allowed to testify for up to three minutes per item. When testifying please state your name and the name of any organization you are representing. Mr. Jensen.

. . . BEGIN PUBLIC TESTIMONY . . .

MR. JENSEN: Mr. Chair, the first testifier is Mike Moran. He'll be testifying as a representative of Kihei Community Association. Mr. Moran will be followed by Morgan Gerdel.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

CHAIR CARROLL: And please identify yourself and any organization you're representing when you come to the podium.

MR. MORAN: Aloha, Chair Carroll and Councilmembers. Mike Moran for the Kihei Community Association on LU-4. KCA is in general support of the R&T Park as responsible South Maui developers and have had good communication with them for several years. They came to us back in 2010 voicing a plan to transform the then current single use large lot research and technology campus into an integrated and vibrant mixed use community focused around regional high technology employment base. It was our understanding that after trying to foster their original concept of a tech park they concluded it was not working so they had to go in a new direction. Implementation would require amendments to the Kihei-Makena Community Plan, the State Land Use District Boundary, and County zoning. So after almost five years here we are. Further, a vital segment of this growing development there is the Kihei Charter High School which KCA has championed for years. And as you will hear shortly from Mr. April of South Maui Learning Ohana they are very close to breaking ground here but will require some land use changes as well. However, our distress is continuing to watch a large variety of projects being approved by the County with no true corresponding infrastructure accompanying any of them. Our only two north-south roadways, the substandard Piilani Highway and our beach side South Kihei Road continue more crowded each month. And neither the North-South Collector Road nor the Piilani mauka bypass which would alleviate this growing problem are anything but future dreams. Our understanding of Hawaii Department of Transportation's viewpoint is its County government approving all these projects knowing full well there are no State plan for any vehicle relief. And HDOT states and the County Administration agrees the mauka bypass would be a County highway. So we ask what is being planned for South Maui. If there are just blanket approvals for smart plan projects as we see here and several others with numerous flaws the entire community will suffer including these guys whose customers may think twice before participating in such a community. And how about Wailea and Makena? Even if the R&T's plan is moderately successful and some residents here find jobs within the park, there will be much additional traffic from 1,250 homes, perhaps nearly 3,000 vehicles as well as future students transported to the school, and all the commercial traffic. And we're just about out of time but where is the water coming from? Mahalo.

CHAIR CARROLL: Any clarification needed from the testifier? Seeing none, thank you.

MR. MORAN: Thank you.

CHAIR CARROLL: Mr. Jensen.

MR. JENSEN: Mr. Chair, the next testifier is Morgan Gerdel. He'll be followed by Todd Lawson.

MR. GERDEL: Aloha, Councilmembers. My name is Morgan Gerdel. I'm a licensed architect and I live and work here in Wailuku. I'm here to testify in support of the zoning

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

change to the Maui Research and Technology Park. Much like Maui small towns the MRTTP is seeking to create a walkable mixed use area surrounded by a community of homes. I had the opportunity to review the design plans for the Research and Technology Park when I served on the Maui County Urban Design Review Board and the design was thoughtful and incorporated some of the leading smart growth concepts into the plan. The Research and Tech Park has invested in a quality design that will serve as a model for other smart growth on Maui. I am also working with the South Maui Learning Ohana on the proposed Kihei Charter K through 12 school that is nearly ready to break ground in the Research and Tech Park. The Change in Zoning is a key factor for the school development. It will not be possible to develop our design with the existing zoning that has very large setbacks, has inherently low density, and designed around the automobile. The building will be multipurpose with some commercial tenants to help support the school operating costs. The building project will provide about 55,000 square feet of space to education allowing the school to take in more students. In order to be cost effective for SMLO to develop the school, we are planning for a building that will comply with the new standards for the Maui Research and Tech Park. The school building is designed to be close to the sidewalks to create a pleasant streetscape while maintaining open space behind the building for educational programs and parking. The Kihei Charter School serves grades K through 12 and is projecting an enrollment of about 565 students this year. There's a waiting list in every grade to enter the Charter School. Approval of the zoning change will help the school meet the increased demand for enrollment in South Maui. Thank you.

CHAIR CARROLL: Any clarification needed from the testifier? Seeing none, thank you. Mr. Jensen.

MR. JENSEN: Mr. Chair, the next testifier is Todd Lawson. Mr. Lawson will be followed by Jay April.

MR. LAWSON: Aloha. My name is Todd Lawson. I'm here to testify in support of the zoning change for the Maui Research and Technology Park. I'm actually excited to see all the changes that the Maui Research and Technology partners have put forward in this new plan and I hope you're excited too. I'm actually a member of the, a board member of Maui Economic Development Board as well as I'm on the Kihei Charter School Board. This plan is not just a real simple plan. It's actually a very complete plan that incorporates a lot of different facets within the Tech Park. I've been up in the Tech Park for over 20 years. I've seen how hard it is to grow a business up there. I think it's an awesome concept to bring technology to the island. It's a clean source of jobs and good revenue for the people here. If we can incorporate the school with the technology in the Tech Park then we can look at home growing the talent that we need. As a growing company we have problems all the time in getting employees here to the Tech Park with the skill sets that we need to actually do the work that we're contracted to do. So this whole plan incorporates the schools and also an environment where employees can work and live and be a part of the whole work environment there. So I ask that you support this zoning change. Thank you.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

CHAIR CARROLL: Thank you. Any clarification needed from the testifier? Seeing none, thank you. Mr. Jensen.

MR. JENSEN: Mr. Chair, Jay April will be speaking on behalf of South Maui Learning Ohana. Mr. April will be followed by Sandra McGuinness.

MR. APRIL: Good afternoon, Mr. Chair. It's great to see the Councilmembers in person instead of on TV every day. You look so three dimensional. You know it's fabulous. Gene Zarro is out of town so he asked me to come down and speak on behalf of the South Maui Learning Ohana. It's just amazing what Gene has done in terms of putting this package together with Federal money to build a building up there. And as the other testifiers have said the Kihei Charter School locating in the Park I think will bring a lot of life to that area. I remember when the Park opened. I'm sure many of you were there. And it was a heady time because there was so many great dreams for that place and I think the mixed use is going to really, really cause that place to blossom and I think it's very exciting. So just to reiterate a couple of the points were made earlier 'cause it was on Gene's talking points, you know, this is a major project the Kihei Charter School. It's a big building. I think the building is going to have 55,000 square feet, mixed use, mostly Charter School in the back and in the front of building we'll have the ability for commercial use. And it will be, as I said, 55,000 square feet of space dedicated to education. There will be outdoor areas. It will give KCS a permanent facility finally. It's designed in a way that will really be conducive to education. It will be cost effective. It will be within the new standards for the Park. And the setbacks are less in this building which will create a pleasant streetscape. It keeps all the open space behind the building as a more educational area for the students. So South Maui Learning Ohana it's a 501(c)(3) established in 1998. Its major project is establishing and supporting Kihei Charter. It will be, Kihei Charter will be starting its 15th year of operation in July. It started with 60 students from grades 10 to 12 and now it serves grades K to 12. It's projecting an enrollment of 565 students this year. There's a waiting list for every grade, and this is a multipurpose building as I mentioned. KCS is currently leasing 35,000 square feet of space in Kihei. But this will allow the organization to consolidate, and I think, I'm really excited about what's going to happen there relatively soon and in full support of the changes. Thank you.

CHAIR CARROLL: Thank you. Any clarification needed from the testifier? Seeing none, thank you.

MR. APRIL: Thank you so much.

CHAIR CARROLL: Mr. Jensen.

MR. JENSEN: Mr. Chair, Sandra McGuinness, she'll be testifying as a representative of Nutrition and Physical Activity Coalition. Ms. McGuinness will be followed by Garrett Marrero.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

MS. McGUINNESS: Good afternoon, Council, Committee Chair Carroll and Committee Members. I'm Sandra McGuinness with the Nutrition and Physical Activity Coalition of Maui County. I did submit written testimony via email yesterday but I wanted to come before you today to offer our Coalition support for approval of the variance for the Maui Research and Technology Park. We're really excited about the project, the mixed use components. The fact that it will be bikeable, walkable. It will have open space for parks and it will also have connectivity within the project and also to the outlying areas. So I just wanted to offer our support again. Thank you.

CHAIR CARROLL: Thank you. Any clarification needed from the testifier? Seeing none, thank you. Mr. Jensen.

MR. JENSEN: Mr. Chair, Garrett Marrero will be speaking as a representative of Maui Brewing Company. Mr. Marrero will be followed by Dick Mayer.

MR. MARRERO: Aloha. Thank you for the opportunity to testify today and thank you for your support of our and many other small businesses here in Maui County. It's always been great to have. We are I think the most recent tenant up in the Research and Technology Park having completed our building in Kihei. We built a 42,000 square foot production brewery and tasting room as well as a brew pub that's going online late this, late next year. And we're really excited about the changes up at the Park. They were actually really integral in us making a decision to build in Kihei because we like the idea of the mixed use, the walking, the biking especially. Being in a community where someone can walk to a great thing like a brew pub to hash out community issues perhaps over a pint. It seems to us, like a great idea. We are thoroughly committed to sustainability and I think the sustainable components of the plan, the update to the plan certainly make the Park even more attractive to not only our business that is already there of course but new businesses to come to the Park. We do see the ability to attract far more businesses that can come up into the park and conduct business up there as opposed to right now it feels somewhat off the beaten path. And I think with creating a mixed used community it will help to draw more business up there as well as, you know, having the school nearby and creating a full community feel. And so we're very proud to be a part of that. We are mixed use in some regard already, at least our building in that we do manufacturing as well as retail so we do have the commercial components as well as direct interaction with guests. And so particularly for businesses like ourselves it's also a benefit 'cause we'll have that natural additional traffic which I think we're already seeing in the park, even more people coming up to visit us at Maui Brewing. So I'm definitely in support, I should have started with that, in support of the LU-4, and always available if you have any other questions. But thank you again for your time, and aloha.

CHAIR CARROLL: Thank you. Any clarification needed from the testifier? Mr. Jensen.

MR. JENSEN: Mr. Chair, the next testifier will be Dick Mayer. Mr. Mayer will be followed by Albert Perez.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

MR. MAYER: Hello, my name is Dick Mayer. I'd like to testify on the R&T Park. As many of you know I was involved with the Maui Island Plan as Vice-Chair of the General Plan Advisory Committee. This project did not come before the GPAC and there was no recommendation from the GPAC for this project. The Planning Commission did not review it at that time and did not recommend it. And the Planning Director at that time did not review it and put it in there. This has all come up after it went through all those processes. And it only came up and was put in, the growth boundary was put in at the very final stage by the Council. I just want to give you that background. What did happen was the GPAC thought that there should be a residential community to go along with industrial park and they located it above where the high school is going to be going and above where that mega mall area is being proposed. And that was to be the residential area. So one of the things I'm going to be asking for is that somehow that if this project does go through that that other area that was designated for residential housing called Kihei Mauka be deleted from both the Maui Island Plan and any potential future community plans. Overall I like the concept of an integrated residential and industrial area but it does have some serious implications. And I've provided you on this green piece of paper a checklist. The project is enormously large. Two million square feet of commercial and industrial construction. Just to give you some idea. The present, all the buildings that are down there now represent 180,000. So this is 11 times bigger than the amount of the thing and that does not even include the residential component of it. Traffic on Piilani Highway. There's a map that I've attached on the second page that you can go review with all the other projects in South Maui that are there and could impact the highway which is already close to capacity. There's no north-south money, no south collector road money. There's no possibility of getting a mauka alignment parallel to Piilani Highway . . . *(inaudible)* . . . because there are many other higher priorities. The road the Lahaina, the Paia bypass, a number of other ones. So this will be, Piilani Highway will be the road that connects all of these major projects in South Maui. The water supply is still undetermined for this project. Will it tap into the Central Maui water system and interact with places that you already approved like Waiale, the North Kihei 600 units, and many other projects in the rest of the island? I'm pleased to hear that there's Federal funding available for the school construction. I would hope you make sure that that money does come through. What are the workforce housing requirements? Are they going to be satisfied completely by this project? And I would urge you to stipulate that those be among the initial projects put into this R&T Park. The impact fee schedule that was put together by the County consultant is something that you should look at carefully as to, and to apply it to this particular project dealing with fire station, police station, all the other sewer, et cetera, et cetera, to make sure that this project pays its due fair share of things. And lastly, I would urge you to put a stipulation in there on the length of this entitlement so that if four years from now, eight years from now, ten years from now, we don't see the progress that you will have that capability to easily go back and say hey those entitlements are not guaranteed in perpetuity until you guys are ready. Thank you very much.

CHAIR CARROLL: Thank you. Any clarification needed from the testifier? Seeing none, thank you.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

MR. MAYER: Thank you. And I hope you use this checklist.

CHAIR CARROLL: Mr. Jensen.

MR. JENSEN: Mr. Chair, the next testifier is Albert Perez. He'll be testifying on behalf of Maui Tomorrow. Mr. Perez will be followed by Lucienne deNaie.

MR. PEREZ: Aloha, Chair Carroll, Committee Members. I'm Albert Perez. I'm the Executive Director of Maui Tomorrow. And my comments pretty much parallel what Mr. Mayer has said. We are concerned. We're generally supportive of a project like this, integrated land use. We have some concerns about the water supply. It seems to be that the supply is fairly unclear. It's going to require quite a bit of water and since, if it's going to be going through reverse osmosis treatment then those wells will have to pump 30 to 40 percent more than the required amount in order to end up with the required .8 million gallons of water. We are suggesting that the Committee should set a condition that includes testing of the down slope wells before and after installation of the proposed well field to determine if there will be impacts and appropriate mitigation if the down slope wells are impacted over a longer term. As far as the traffic impacts, the assumption is that 30 percent of the vehicle trips at full build out, 3,000 residents and also the businesses, they'll be working and shopping onsite. And the State Land Use Commission also was questioning the internal capture rates and reductions in the trips because of this integrated land use. The assumptions appeared high and they need to be further justified. The project's assumption of traffic impacts is based upon the completion of certain regional road projects such as the completion of Liloa Drive. And we've all seen many projects approved for certain unit counts on the basis of future road construction that failed to materialize. This is also noted by Land Use Commission staff. And we're suggesting that the appropriate size of this project should be seriously discussed by the Committee after accurate and updated traffic impact figures are computed and submitted as part of the Change in Zoning. Thank you.

CHAIR CARROLL: Thank you. Any clarification needed from the testifier? Seeing none, thank you. Mr. Jensen.

MR. JENSEN: Mr. Chair, the next testifier is Lucienne de Naie. She'll be testifying on behalf of Sierra Club Maui. Ms. de Naie will be followed by Leslie Wilkins.

MS. de NAIE: Aloha, Committee Chair Carroll and Members of the Committee. I am testifying on behalf of Sierra Club Maui today. My name is Lucienne de Naie. I'm speaking, we like the idea of a well-designed community here just like everybody else. Certain, but if it's going to meet the standards of sustainability we would like to see some of these questions about the impacts to traffic, water resources, drainage, energy consumption, wastewater output, and protection of cultural and historical properties be addressed. I'm just going to talk about the cultural and historical part today. I did pass out a couple of maps. They show a historic road that passes through this property. This road has not been documented in the archaeological survey that was submitted as part of the EIS for the property in 2013 and yet this road exists. One

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

map shows the road existing all the way up to Ulupalakua and going across Kihei mauka of Piilani Highway. The other map shows where it kind of comes into this project. This road should be protected. Our community plan has very clear language saying that we should protect all historic roads and paths and make them available for public use. This road exists. It exists the entire length of Kihei. Sierra Club has worked very hard to make sure it wasn't wiped off the map in Wailea 670. It will continue to exist there. It exists all the way up to Kanaio. And it would be great to just set a precedent. Follow our community plan and have this road be recognized as it goes through each property and that segment set aside and it can be used as part of a bike path, trail, whatever. All projects want to do these things. We also want to speak to a particular site there. I passed out a picture. Hopefully you all got them. It's a very well built site. It's an enclosure made of stone. It didn't appear to be in the archaeological survey. It didn't appear to be referred to in other archaeological surveys. It's standing right there and it's pretty big. It's over 100 feet long. It may be an old corral. It may have been something that had to do with the ranch era but its construction appears to be very, very historic. Over 50 years old. And whatever it is from it really deserves to be documented. Our community plan says that project shall document all sites onsite and even ones that are nearby. There's very little that's being proposed to be preserved and yet this project is claiming to have a sense of place and a sense a history. And we'd really like to see the bar raised a little bit here. If they're going to have 88 acres of open space there certainly can be a way of working a few of these cultural sites in. Right now the only thing that's being discussed for preservation are two sites that are in Waipuilani Gulch that are off the property and a wall that borders the gulch which is kind of like well we may preserve it if we have an opportunity. Really we need to do better than that. So you have the ability to write conditions. Sierra Club is happy to work with you to supply more information. Three minutes is not much time. And I'm sure other cultural groups were as well. This is not a barren zone. When it was first documented there were archaeological sites missed in the first survey. In fact nothing was found and State Historic had to come in and find sites for them. And I can turn in that paper if it would useful to be part of your record about what sites State Historic found in 1994 after archeologists at that time said there was nothing. Thank you.

CHAIR CARROLL: Thank you. Any clarification from the testifier? Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And, Ms. de Naie, thank you for your testimony. We didn't, we got your testimony but it only had the two maps. We don't have the pictures.

MS. de NAIE: Okay. I passed out a second part that had the pictures. Maybe it hasn't gotten to you yet. They're working so hard out there.

COUNCILMEMBER COUCH: Oh, okay. Okay.

MS. de NAIE: I can pass around a picture if you guys --

COUNCILMEMBER COUCH: No that's alright, they're doing it.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

MS. de NAIE: --would like to look at it.

COUNCILMEMBER COUCH: Thank you.

MS. de NAIE: Okay. Very good. Thank you so much.

MR. JENSEN: It's coming.

COUNCILMEMBER COCHRAN: Chair?

MS. de NAIE: And maybe I should turn in this testimony from State Historic. It's only four pages and it just might prove helpful. It did prove that there was a deposit of cultural material there.

COUNCILMEMBER COCHRAN: No, Chair, thank you.

CHAIR CARROLL: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. And thank you, Ms. de Naie, for being here. That was my question I was going to ask about those, that additional paperwork you just handed over.

MS. de NAIE: Okay. Great.

COUNCILMEMBER COCHRAN: Okay. So good. Thank you.

MS. de NAIE: I hope you'll take a look at it. Thank you for your interest.

CHAIR CARROLL: We'll get those from you.

COUNCILMEMBER COCHRAN: Thank you.

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

MS. de NAIE: Thank you.

CHAIR CARROLL: Mr. Jensen.

MR. JENSEN: Mr. Chair, I just informed the Members those copies are being made of the documents Ms. de Naie just delivered. The next testifier is Leslie Wilkins. Ms. Wilkins will be testifying on behalf of the Maui Economic Development Board. Ms. Wilkins is the last testifier signed up.

MS. WILKINS: Aloha and good afternoon, Chair Carroll and Members of the Committee. I'm Leslie Wilkins. I'm Vice-President of the Maui Economic Development Board and I'm

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

honored to be here today to represent our board of directors and our President and CEO Jeanne Skog. We are testifying today in support of this. As you know MEDB has been an integral part of the Research and Technology Park from its inception. Our board participated in the planning process as well as evaluated the master plan update and we are in strong support of it. We feel it is a good fair plan. MEDB's mission is to diversify our economy while at the same time we validate and honor our host culture as well as preserve our environment. We put the master plan update to that lens and to that test and our board of directors feels that it truly lives up to that and will be an important part in helping us advance our mission. MEDB over 20 years ago, it's hard to believe, was a park partner. We are often referred to as the sweat equity partner and that it was MEDB's leadership in bringing together private and public sector partners to help change the, what was once ranch land into a Research and Technology Park. A place for our desired and targeted structure for economic development. It was important to our history and we believe it has an even more important place in our future but just like Maui County itself and all businesses, the needs for technology and innovation have changed. So what was once a very visionary plan like anything requires an update to make sure that the infrastructure is meeting the current needs so that it can, we can be attractive. We can be competitive and we can be sustainable to create the knowledge based industry that we want as another option to keep our young people at home and bring them back home for other kind of career opportunities. The park is currently home to more than 400 employees. It is wonderful to look around and see more and more of our kamaaina young faces as they come home. In fact as someone who has white hair walking around the park I look around and often think that there are 12 year olds driving our Research and Technology but it is exciting to see that it is a place for a vibrant career future for many of our young people. We've always envisioned that the park should be a hub. It should be multiuse. We're thrilled to see education collocated there because how perfect for our young people to have internship and practicum opportunities and mentorship right there in the park itself. So again I'm offering our full support. MEDB is very judicious in offering testimony. In the more than 25 years, and I'm very aware of its history, we have given less than a handful of testimonies on projects. So, I hope that infers the importance that this project is to us. So thank you. Again as I opened, the park has been an important part of our history and we're asking you to help support this so to assure it will be an important part of our future. Thank you.

CHAIR CARROLL: Thank you. Any clarification needed from the testifier? Thank you. And note that Vice-Chair of the Committee is present, Mr. Michael Victorino. Thank you.

VICE-CHAIR VICTORINO: Thank you, Chair. Sorry I'm late.

CHAIR CARROLL: Mr. Jensen.

MR. JENSEN: Mr. Chair, there are no other testifiers who've signed up at this time.

CHAIR CARROLL: Is there anyone in the gallery or is there anyone in any of the District Offices that wishes to give testimony at this time? Please come forward. Hana Office, do you have anyone coming forward to give testimony?

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

MS. LONO: There's no one waiting to testify at the Hana Office.

CHAIR CARROLL: Thank you. Molokai, is there anyone waiting to give testimony?

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

CHAIR CARROLL: Thank you. Lanai, is there any one waiting to give testimony?

MS. FERNANDEZ: There is no one waiting to testify on Lanai.

CHAIR CARROLL: Thank you. Members, since there's no one else coming forward, I will close public testimony.

COUNCILMEMBERS: No objections.

CHAIR CARROLL: Thank you. Public testimony is now closed.

. . . END OF PUBLIC TESTIMONY . . .

ITEM NO. 4: COMMUNITY PLAN AMENDMENT AND CHANGE IN ZONING FOR THE MAUI RESEARCH & TECHNOLOGY PARK (KIHEI) (CC 14-311)

CHAIR CARROLL: The Committee is in receipt of County Communication of 14-311, from the Planning Director, transmitting the following, a proposed bill entitled A Bill for an Ordinance Amending Ordinance No. 2641 (1998), Kihei-Makena Community Plan and Land Use Map, From Project District 6 (R & T Park), Public/Quasi-Public, and Agriculture to Maui Research and Technological [sic] Park for Property Situated at Kihei, Maui, Hawaii. The purpose of the proposed bill is to grant a request from the Planning Director, on behalf of Maui R&T Partners, LLC, to change designations in the Kihei-Makena Community Plan and Land Use Map to Maui Research and Technology Park ("MRTP") for 406.009 acres located mauka of Piilani Highway and adjacent to Lipoa Parkway in Kihei, Maui, Hawaii, that's the subject property, consistent with Maui Island Plan. The planning guidelines for MRTP designation include approximately 1,250 dwelling units, with a balance of single family and multifamily units; up to 2 million square feet to acknowledge [sic] based employment ... to acknowledge [sic] based employment in fields such as scientific research, education, health care, and medium [sic] production, and approximately 35 percent of the acreage dedicated to other purposes including parks, civic, residential, and commercial uses. Number two, the proposed bill entitled A Bill for an Ordinance Amending Chapter [sic] 19, Maui County Code, to Establish a New Chapter 19.38, Maui County Code, for Maui Research and Technology Park Situated in Kihei, Maui, Hawaii. The purpose of the proposed bill is to establish the Maui Research and Technology Park in a Comprehensive Zoning Ordinance, with the stated intent of creating "opportunities for a broader range of desirable knowledge based on [sic]

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

emerging industries” and “provide diverse housing options.” Number three, a proposed bill entitled A Bill for an Ordinance to Change Zoning from Kihei Research & Technology Park District and Agricultural District to Maui Research and Technology Park District (Conditional Zoning) for Property Situated at Kihei, Maui, Hawaii. The purpose of the proposed bill is to grant a request from the Planning Director, on behalf of R&T Partners, LLC, for a Change in Zoning to Maui Research and Technology Park for [sic] District for the subject property. The Committee will consider whether to recommend passage of the proposed bills on first reading, with or without revisions. The Committee may also consider the filing of County Communication 14-311 and other related actions. Members, we will receive a PowerPoint presentation today on this application from Jordan Hart of Chris Hart and Partners, the applicant’s consultant. You have been provided copies of the slides used in this presentation. Master Planner John Buetler will give a short introduction. And we will take a short recess for two minutes. We are going to be using the big screen today. We stand in recess. . . .(gavel). . .

RECESS: 2:12 p.m.

RECONVENE: 2:15 p.m.

CHAIR CARROLL: . . .(gavel). . . .meeting will come back to order.

(slideshow presentation)

MR. HART: Good afternoon, Chair Carroll and Councilmembers or Committee Members. My name is Jordan Hart of Chris Hart and Partners. I’m going to give a brief introduction before I pass it on John Buetler as Master Planner for the project from Calthorpe and Associates to do a general overview. As stated earlier this is a Community Plan Amendment and Change in Zoning request for the Maui Research and Technology Park. The consultant team that we have here today to respond to questions is applicant’s representative Mr. Steve Perkins. As stated John Buetler of Calthorpe and Associates, myself, and Brett Davis of Chris Hart and Partners. Reed Ariyoshi of Unemori Engineering, as Civil Engineer; Tom Holiday of Hallstrom Group, preparing the market assessment, economic impact and affordable housing assessment. Philip Matsunaga of Parsons Brinckerhoff as Traffic Engineer; Tom Nance, Tom Nance Water Resource Engineering as groundwater assessment report preparer; Kimokeo Kapahulehua as a representative of Hana Pono, preparer of the cultural impact assessment report; Jaap Eijzenga of SMCA Environmental Consultants regarding flora and fauna; and Mike Dega of Scientific Consultant Services representing our preparer of our archaeological assessment report. At this time, I’d like to pass it over to John Buetler for a general overview of the master planning portion of the project.

MR. BUTLER: Thank you very much. Yeah, I’ll just give some brief comments, kind of behind the reasoning, the reasoning behind the master planning effort. I think business parks I believe really are kind of, over the years, have kind of sought this kind of model here which is obviously a college campus. The idea of the attractive buildings and the green space and the kind of serene environment. Unfortunately,

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

you know, what we often get is something more like this which is a little bit kind of sterile and somewhat uninteresting. And the unfortunate thing I think is that when we saw this, you know, we look at the buildings and the greenery but the really, the thing that's got, that was missed in this is the activity and the people and the interaction. This is really what makes a college campus the center of activity and innovation that it is. And so instead we've kind of used the idea of creativity as a kind of a poetic model where, you know, someone would sit alone and really come up with the next big thing. But especially now with the technological changes and the addition of such complexity, creativity actually looks a lot more like this. Obviously with people not bees but the idea of a lot of interactivity, people really getting together and creating things that way instead of off on their own. So that was what was behind the plan overall. Just as a urban design principles these are the four principles that we designed by and I won't go over them in depth but diversity which is uses and activities, human scale, so making things for people to walk, to bicycle instead of only at the automobile scale. Conservation and restoration so really trying to work with the environment and the environmental resources in an area. And the connectivity, thinking about how things work with the region at all different scales. But diversity I think are two factors that are really appropriate to this discussion because diversity and the effect on transportation. In the top two here we see if uses are separated, offices or employment and housing then everyone goes one way in the morning and then the evening they all go the other way. And so you get half of the lanes of the roadways empty every day. If you have the mix of uses not only do you get people who can actually commute within their own neighborhood, walking and bicycling, but you also get people going both directions on the same road or in the same systems. And so you get a much better use of your infrastructure. The other thing about diversity is a diversity of building form and the idea of the park which was to diversify the economy. At the top we see a conceptual diagram of a human family, of a family where someone grows up and they may go out and have an apartment and then they get married and the couple may decide they want a house and they have children and then they need a slightly bigger house. And their needs, they're the same people but their needs change over time and then the children go off and then they need apartments or something as well. And so, the same thing can go for a business. You may get, on the bottom diagram, you may get someone who starts their own home business, they get successful, get some employees, they need a slightly larger space. The business gets bigger, they have an employee who has an idea and they want to go out on their own so that employee needs another small space for their work, and then the company gets bigger or smaller. And the same company its needs will change over time. Unfortunately right now the park cannot accommodate that because of a lack of flexibility. This is the current development in the park. What we have is some interesting terrain. It's a bit separated from the bulk of Kihei and but what it really has is a very valuable core of businesses in the center, which is we think something to build off of. We can see here the current landscaping in the park. The current landscape which is very beautiful. It's a nice place but it is built on this poetic model of creativity and knowledge. This then is the illustrative plan of what we would hope could come up in the park. As you can see the purple areas here are still employment based uses trying to maintain the flexibility to accept large employers if they should want to come into the park. On the left which is slightly north is a mixed use center.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

Left of the employment core is a mixed use center, a place to provide some more flexibility for employment. A place to provide things like cafes kind of the amenity where people can meet, that's where creativity can grow, and then to support not only employment core but also to support the mixed use center are residential areas. Here you can see a view looking toward the water. You can see the mixed use center in the foreground then the golf course and then the bulk of Kihei. We tried to respond to the environment with the plan. We have these corridors of open space that go through the site which will be a great amenity for people living and working and visiting the site as well as a good place to provide non-auto transportation such as bicycles, bicycle lanes and paths. Here we see the bicycle network. There are some separated lanes on the busier roads and bicycle paths going through the open spaces. And we believe that every street in the park can be friendly to bicyclists. At certain levels of speed and levels of traffic bicycle lanes wouldn't be necessary. You actually can have bicycles running safely within the traffic lanes. This is a street network diagram, which shows I think the important thing in this is to see the areas where the blocks are very small. This makes it more walkable and slows traffic down. These are some of those streets that would go through there and the real goal has been to keep these streets small and slow. Here you can see the preservation of a lot of employment capacity within the site. Many, several thousand employees could still be accommodated and this would help it to, the park to maintain its focus on the diversification of the economy. This is a view of that area, of the employment area. Here we see the mixed use center with buildings of various sizes. Smaller buildings to accommodate smaller businesses with a park which could provide a gathering space and an amenity for workers. We proposed various building types including places with more flexibility. The current buildings require someone to invest quite a lot. The Code requires someone to invest quite a lot to start a business. Many businesses just simply could not afford that so we want to accommodate startup businesses. This is an example of something which is actually focused on artists, not technology but it's a similar idea in Mexico where people are able to get these small spaces, fit them out on their own to the level that they can afford and at a given time. And then this is the regulating plan which would be the way to implement this vision. You can see the mixed use core and the mixed use center in the red. Based on the plan the building typologies would be the way to implement individual parcel development. And here we see one of these typologies where the things such as the location of the parking would be regulated and where the front door in the building are located on the parcel in order to create a good walking and living environment. Thank you.

CHAIR CARROLL: Thank you.

MR. HART: Again, this is Jordan Hart to continue with the presentation regarding the land use entitlement component of the project. So as discussed earlier, the Research and Technology Park originated as a concept in the '80s by a core group of community leaders looking to create a third leg to the economic stool for the County. There was a significant pilot strike by United Airlines that really emphasized the need for diversity in Maui County and that was kind of the, a real emphasis that focused the desire to create this park. Currently, 25 companies and projects exist in MRTTP. Over 400 people are employed there. Roughly 100 to \$150 million flow through projects there

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

every year. There are currently 6 buildings with 220 square feet of total spaces. These are some of the companies that exist onsite. The Community Plan Amendment request includes adding text to the Kihei-Makena Community Plan describing the park, the technology park. This is the same language that's included in the adopted Maui Island Plan. The request also includes changing the designation of the 359 acres of Project District 6, Maui Research and Technology Park District; 39 acres of Public/Quasi-Public to Maui Research and Technology Park District, and 7.8 acres from agriculture along Lipoa Parkway. The CIZ, the Change in Zoning includes 260 acres changing from Agriculture to proposed, the newly proposed Form-Based Code which is Chapter 19.38, Maui Research and Technology Park District, and 145 acres of the currently existing Chapter 19.33, Kihei Research and Technology Park District to the proposed Chapter 19.38, Maui Research and Technology Park District. This map indicates the lands that currently completed the State Land Use district boundary amendment process to Urban. These areas shown in green are currently designated as urban lands. This is the Kihei-Makena Community Plan map. As indicated, the project site is existing in gray. The Public/Quasi-Public segment is at the northwest corner of the project site. This is a County zoning map indicating the current Research and Technology Park with Agricultural District surrounding. As indicated, the project is currently located within the State Urban District. As noted during testimony, the project is located with the Urban Growth Boundaries. This is the Maui Island Plan Urban Growth Boundary map. The process that's taken place to date on April 19 of 2013, the State Land Use Commission accepted the final Environmental Impact Statement for the project. On November 22, 2013, the district boundary amendment from Ag to Urban was approved unanimously by the Land Use Commission. On December 10, 2013, a public hearing was held by the Maui Planning Commission for the Change in Zoning and Community Plan Amendment. On December 4, 2014, the Maui Planning Commission unanimously recommended approval of the Community Plan Amendment and Change in Zoning to the Maui County Council. This is another site, the project site plan. Regarding impacts for the project, existing drinking water currently comes from the County system. The project proposes to continue to access the County system as long as it may be available; however, the project has plans for an independent system at such time as County water is not available. Drinking water demand for the project is 798,000 gallons per day, non-drinking water demand is estimated at 373,000 gallons per day. Irrigation water is currently and will continue to be provided by link to the Kihei Wastewater Reclamation Facility. The groundwater source for private wells would be the Kamaole Aquifer. The sustainable yield of the Kamaole Aquifer is currently 11 million gallons per day. The present pumpage is approximately 5 million gallons per day. Regarding wastewater, the existing and future proposed system is a privately owned and maintain system that conveys wastewater to the Kihei Wastewater Reclamation Facility. Total flow is estimated at 550,000 gallons per day. Proposed improvements include new gravity sewer mains and pump stations, expanded wastewater system for conveyance to the Kihei Wastewater Reclamation Facility. The County's facility current capacity is 8 million gallons, average daily wastewater flow is 3.6 million gallons, accumulative allocated wastewater flow is 6.864 million gallons per day; the remaining capacity 1.136 million gallons to 4.4 million gallons per day is sufficient to accommodate the project. The increase in runoff for a 50-year, one-hour duration

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

storm is 520 cubic feet per second. The development induced runoff will be retained onsite. Mitigation measures include vegetated line, collection basins, and subsurface retention. Regarding traffic and roadway improvements for the project. The project recently resubmitted a draft, a TIAR, to the State Department of Transportation in May of 2015. The projects, State Land Use Commission decision and order requires that the project enter into a memorandum of agreement with the State Department of Transportation prior to final subdivision approval. Currently, the proposed Phase I and Phase II traffic mitigation measures are as follows: Phase I will include Hookena Street access to Piilani Highway, Lipoa Parkway intersection improvements as well as Kihei High School pedestrian bicycle access. Phase II mitigation transportation improvements include a access to Old Welakahao Road at Piilani Highway, and development of this project's components of the mauka collector road. The project has been in consultation with the State Department of Transportation for a location of a school site. DOE is interested in locating a site, a school onsite. The project will comply with DOE impact fee regulations. The project proposes to develop 88 acres of open space and parks throughout the project and will comply with the County requirements for park assessment fees. There is opportunity for police and fire facilities within the project. No threatened or endangered species or flora and fauna are anticipated to be impacted by the project with the observation of mitigation measures as outlined in the final Environmental Impact Statement. The same is for air quality and noise. An archaeological assessment report was prepared and accepted by State Historic Preservation Division. One site, Site 6241 is a historic boundary wall. That site is to be, it's located at the north boundary of the project along Waipuiani Gulch. That site is to be preserved and protected from construction. The agriculture condition for the site is poor. The site is rated E on Land Study Bureau maps and is not designated which indicates further poor performance on agriculture lands of historic importance to the State of Hawaii. And as noted, the project site is currently within the State Urban District. Economic benefits from the project, the project will result in \$1.4 billion of capital improvements to Maui's economy and that would be direct investment in the development of this park as proposed. In operation that results in 5,888 onsite jobs and 1,470 offsite jobs. The residential workforce housing component for the project will be developed onsite. I'd also like to add in 212, year \$212, the continuous benefit to the County budget would be an estimated \$25 million per year during the development phase of the project and then a stabilized \$21 million per year ongoing throughout the, through the existence of the project. The community plan meets the intent of the Maui Island Plan and the Kihei-Makena Community Plan. The Maui Planning Commission recommended approval of the project to the Maui County Council. The Change in Zoning was also recommended for approval by the Maui Planning Commission. The proposed Change in Zoning meets the requirements and intent. Sorry, the proposed Change in Zoning meets the intent and purpose of the new zoning district being requested. The proposed request will not adversely affect or interfere with public, private schools, parks, playgrounds, water systems, sewage, solid waste disposal, drainage, roadway, transportation systems, and other public facilities. And the proposed project will not adversely impact social, cultural, economic, environmental, and ecological characteristics and qualities of the surrounding area. Thank you very much, that concludes the presentation for the project.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

CHAIR CARROLL: Thank you. We will stand in recess for two minutes while we raise the screen. We stand in recess. . . .(gavel). . .

RECESS: 2:33 p.m.

RECONVENE: 2:36 p.m.

CHAIR CARROLL: . . .(gavel). . . The Land Use Committee will be called back to order. We're going to first of all hear from Planning Committee [sic] opening remarks. Mr. Spence.

MR. SPENCE: Thank you, Mr. Chairman. Committee Members, we are still supporting the Community Plan Amendment and Change in Zoning. We find that this is a really unique opportunity to, for not only just to increase our housing but to diversify our economy with, hopefully with the technology uses that are being proposed. We think this is a very good project and fits well within our community.

CHAIR CARROLL: Thank you. Members, this is how we are going to proceed. We have several members of the Administration that cannot stay very long so I'm going to call on them first and we're going to work our way down. The people that have time constraints, we'll be hearing from them. Alright. First, we'll hear from Kyle Ginoza, Director of Environmental Management. If you have any opening statement you may make 'em now.

MR. GINOZA: No.

CHAIR CARROLL: The floor is now open to question Mr. Ginoza. Mr. Couch?

COUNCILMEMBER COUCH: Thank you, Mr. Chair. Mr. Ginoza, in the presentation it said that the wastewater treatment facility has capacity for the expected increase of wastewater from this project. Is that correct?

MR. GINOZA: Yes.

COUNCILMEMBER COUCH: And it also said something about a lot of, or the availability of a pretty big amount of R-1 water. How ... I don't want to say firm but how much of that water is guaranteed, if you will? 'Cause I know if we have a drought or if we have a low season in tourism and people don't use the facilities and we don't get a lot of wastewater, is there a chance that we would not be able to provide them with enough R-1 water?

MR. GINOZA: We ...

CHAIR CARROLL: Mr. Ginoza?

MR. GINOZA: We currently have much more supply than demand even at times of lower usage of the wastewater facility. So I don't anticipate we ever having a situation in the

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

near future of having less supply than the demand requires. As far as serving this facility, we would have them construct a line to the facility. Right now there's a 10-inch reclaimed water line that goes to the Hokulani Villas and such. And at the time, before constructing that line we had asked the Tech Park to contribute and decided not to. And so that line is not adequate to serve this expansion of the project so we would ask them to do another line so that there is adequate pressure. But I don't think that there will be any supply issues in the near future for reclaimed water.

COUNCILMEMBER COUCH: Okay. Thank you, Chair.

CHAIR CARROLL: Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you, Chair. And thank you, Director, for being here. Just looking at their PowerPoint, Page 41 and it relates to strictly all the wastewater conditions and what have you. So it looks like they will be utilizing private, a private I guess connections, and I mean everything is within, on their site but they're going to be collecting what's produced and then sent to you, to your facility?

CHAIR CARROLL: Mr. Ginoza?

MR. GINOZA: Yeah. So what happens currently is their system within their parcel is private and we have a line that goes from their system to our headworks at the Kihei Treatment Plant. And so their system as they expand it will remain private within their site and will still be conveyed to our wastewater, Kihei Wastewater Treatment Facility.

COUNCILMEMBER COCHRAN: Okay. And so with that added, you know, capacity or whatever, there's no issue in your receiving end of it?

MR. GINOZA: Yeah, so right now, yeah, we don't guarantee the capacity at this point you know until building permits but right now we have more than adequate capacity to accommodate the project.

COUNCILMEMBER COCHRAN: Okay. Okay, very good. And then that is then treated to R-1?

MR. GINOZA: The incoming effluent is then treated to R-1 and, you know, what demand we have we distribute to our R-1 reclaimed water distribution system and the balance of that goes to the injection wells.

COUNCILMEMBER COCHRAN: Okay. Is this development looking to utilize the R-1? I'm trying to see in here.

UNIDENTIFIED SPEAKER: . . . *(inaudible)* . . .

COUNCILMEMBER COCHRAN: Yes.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

MR. GINOZA: My understanding it is.

COUNCILMEMBER COCHRAN: Okay. Okay, very good. Okay. Thank you. Thank you, Chair.

CHAIR CARROLL: Any further questions for Mr. Ginoza? Seeing none, thank you.

MR. GINOZA: Thank you very much.

CHAIR CARROLL: We'd now like to call forward Jo-Ann Ridao, Housing and Human Services.

MS. RIDAO: Good afternoon, Chair.

CHAIR CARROLL: Ms. Ridao, do you have an opening statement you would like to make?

MS. RIDAO: I have no opening statement.

CHAIR CARROLL: Members? Mr. Couch?

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And thanks, Ms. Ridao, for being here. You're almost done aren't you?

MS. RIDAO: Almost.

COUNCILMEMBER COUCH: The question I have is how many affordable homes would we get out of this as a result of the Workforce Housing Bill?

MS. RIDAO: How many?

COUNCILMEMBER COUCH: Yeah.

MS. RIDAO: If the hundred, I'm sorry, if the 1,250 units are considered market rent units then we would get 313 affordable units out of that number.

COUNCILMEMBER COUCH: And are they expected to be onsite?

MS. RIDAO: They're not expected to be onsite; however, in the presentation they indicated that it would be onsite.

COUNCILMEMBER COUCH: So the total number there then would be about 1,500 --

MS. RIDAO: Yes.

COUNCILMEMBER COUCH: --1,600 homes?

MS. RIDAO: Yes.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

COUNCILMEMBER COUCH: Okay. And do you have any agreements with or are you going to be having any agreements with them about doing affordable rentals?

MS. RIDAO: We do not have any agreements currently; however, before they can get their building permits they will have to have an agreement with the Department of Housing and Human Concerns.

COUNCILMEMBER COUCH: And so the Department which I mean I guess, would they have to come back before us for those agreements or they can't because ...

MS. RIDAO: No, they would not have to as long as we are in compliance with the bill, the 2.96, Chapter 2.96.

COUNCILMEMBER COUCH: Okay. As you know we've talked about this in other committees that a big concern is, at least of mine, is affordable rentals versus affordable for-sale homes. Would the Department be at least during your remaining tenure be amenable to--for two weeks yeah, I know, that's why if I get it on record now I can see if we can put it in the condition--to adding a condition, you know, to have a certain percentage of affordable rentals to satisfy the workforce housing?

MS. RIDAO: We would very much so be in support of affordable rentals and I would believe and I believe, my Housing staff is with me today, would also be in support of that. The policy does not address the issue of if you do for-sale housing you need to do for-sale units or if you do for-sale housing that you can do rental units. So, it just says like units and we interpret like units as the actual building. So, you know, if you're doing residential units we expect that the affordable rentals will be residential either townhouses or apartments or condos.

COUNCILMEMBER COUCH: Okay. That, the other issue as you know we've discussed as well is you have those 300 and however many affordable units and if 100 of them are, let's just throw out numbers, if 100 of them are rentals then the 200 that are going to be marketed as "affordable" they go away after--what is it?--I believe it's 10 years now, right?

MS. RIDAO: That's correct.

COUNCILMEMBER COUCH: Okay. Yeah that's still a concern is that you're going to have now 1,450 some odd homes of if we set aside 100 affordable rentals that are no longer, you know, they'll all be market in 10 years. So I do have some concerns about that but that's I think a Department/Council kind of policy thing as opposed to the project.

MS. RIDAO: Yes and ...

COUNCILMEMBER COUCH: We may be able to say all 300 should be rentals if they can't be affordable in perpetuity.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

MS. RIDAO: Yeah, I believe you can subject the project at this, in this process that you're going through right now to what you as the Council would like to see.

COUNCILMEMBER COUCH: Okay.

MS. RIDAO: Yeah.

COUNCILMEMBER COUCH: That's all.

CHAIR CARROLL: Thank you, Mr. Couch. Ms. Baisa?

COUNCILMEMBER BAISA: Thank you very much, Chair. I would like to say that I'm in strong support of what Member Couch is proposing. There's a huge need for affordable rentals and many people cannot buy the homes that we're calling affordable. So if there's any way that we can kind of get this going I'm in strong support.

CHAIR CARROLL: Thank you. Anyone else have any questions for Ms. Ridao?

COUNCILMEMBER COCHRAN: Chair?

CHAIR CARROLL: Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you. And, hi, Ms. Ridao, nice to see you.

MS. RIDAO: Hi.

COUNCILMEMBER COCHRAN: I guess this is probably in line with what Mr. Couch was discussing and perhaps in the end it is on our behalf not so much yours I think. But it's the workforce housing requirements and one of the testifier has it as one of his points that if there's a way to have it done early in the project versus last on the list of things to be built out or what have you. So I think that probably wouldn't lie in, you know, the whole, it would be more on our end as a condition of sorts probably. Is that how that would work?

MS. RIDAO: Yes, because we would be, we would not be actually working with the developer until they get to the housing component. So if they, if you would like to see housing simultaneously with commercial improvements or educational improvements or however you want to structure that, we as the Department would have to comply with the housing component --

COUNCILMEMBER COCHRAN: Okay.

MS. RIDAO: --as you structure it.

COUNCILMEMBER COCHRAN: Okay. So we would guide that kind of chronological order --

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

MS. RIDAO: Yes.

COUNCILMEMBER COCHRAN: --or timeline on that.

MS. RIDAO: This would kind of be a unique situation.

COUNCILMEMBER COCHRAN: Okay. Okay. Well, thank you. And thank you for your service to the County.

MS. RIDAO: Thank you.

COUNCILMEMBER COCHRAN: Thank you, Chair.

CHAIR CARROLL: Any further questions for Ms. Ridao? Hearing none, thank you. Next we'd like to hear from the Department of Fire and Public Safety. Lieutenant Scott English.

MR. ENGLISH: Thank you, Chair Carroll.

CHAIR CARROLL: Do you have any opening statements?

MR. ENGLISH: No. No opening statements.

CHAIR CARROLL: The floor is now open. Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. Thank you, Lieutenant, for being back. I'm going to call you Lincoln this time. The question I have is right now Kihei has two fire stations. One on the border of Wailea or in Kilohana essentially and then one at Kalama Park. The one at Kalama Park is in the tsunami zone. Is there, first of all, do those two fire stations would they be sufficient enough with the addition of these homes?

MR. ENGLISH: As far as I know the Kihei Fire Station that is located next to Kalama Park area is, we were planning on getting it moved to a different location out of the flood and tsunami zone. As far as the station location, would be probably based on insurance rating so trying to get the whole facility within five miles of the station would be a benefit to the developer and to the new homeowners. The two stations you got two engine companies and a ladder should be, and a tanker, should be sufficient for this development.

COUNCILMEMBER COUCH: Okay. Thank you.

CHAIR CARROLL: Any further questions for the Fire Department?

MR. ENGLISH: You know I got I mean one concern when we do these type of developments, when we go against some kind ag land, if you could get some kind of larger ag setback. When these projects normally develop next to ag land and it's up to like the ranchers

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

to try and maintain like a fire break, a perimeter around the development. So it would be nice to see that the, that easement area or development area taken care of by the developer, the owners instead of putting the responsibility on the ranchers to try and maintain the, maintain their property which once in a while the pasture land is very valuable during droughts drought time. So they have to cut back the grass when it's green when it could be feeding the cattle in the summertime. So it would be good if could get it developed that way.

CHAIR CARROLL: Thank you. Mr. Victorino.

VICE-CHAIR VICTORINO: Okay. Thank you, Mr. English, for that information because that was one of my questions is about setbacks. 'Cause I was looking at what they have planned and I do agree that a lot of it should fall really on green belt ways right on the fringes and something that I will be asking the developer to go look at all around 'cause this is a dry arid area and brush fires is very prevalent. And even though you may have enough fighting, firefighting equipment to take care of most of the problems, you and I both know there's never enough. So I agree with you. The other question I had for you is if we were to, you know, make a pitch to this particular development because of its extensibility in this area and all of the development around it where you're talking Ohukai and as you move out you have the development from A&B which is further down. You know but that all is within a mile and a half to two miles from this location. If a fire station, if we could get land and then we can, you know, like we've done in the past, we get the land and then as time goes on we build the fire station in that area. Take it out of the tsunami inundation area and move it up and that would be about a mile and a half from Kalama Park to this area here or maybe not even. Yeah, maybe about a mile, mile and a half, yeah? Would you guys be in favor of something of that nature where now your fire station is not in a tsunami inundated area, and more importantly, really a lot closer to the highway for accessibility?

MR. ENGLISH: Thank you. Thank you, Chair Victorino. Yeah, after the Wailea Station was built, the two stations are I think within two miles of each other.

VICE-CHAIR VICTORINO: Yeah.

MR. ENGLISH: It was always the plan of the Fire Department to try and move the Kihei station out of the flood zone and more into the north area, more north of the, well, north of the Kihei area. I'm not sure where the Administration is on that but it always was the plan to move the station up near the highway and north, into the North Kihei area.

VICE-CHAIR VICTORINO: Okay. I mean it's something that maybe we can discuss when we talk with the developer and I think it would behoove them because it also helps them have adequate firefighting equipment in a close proximity. The new high school is going to be there. We also have our two elementary school, elementary and intermediate school right down the road on Lipoa. So it makes, it's a win-win, yeah,

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

for the area. So, we'll ask that question when the developer comes up, Mr. Chair.
Thank you.

CHAIR CARROLL: Thank you, Mr. Victorino. Any further questions for the Fire Department?
Seeing none, thank you.

MR. ENGLISH: Thank you, Chair.

CHAIR CARROLL: We'd now like to call down the Police, Captain Stephen Orikasa,
Department of Police. Do you have any opening statement you'd like to make?

MR. ORIKASA: No, sir.

CHAIR CARROLL: The floor is now open. It's still open.

VICE-CHAIR VICTORINO: Chair?

COUNCILMEMBER COUCH: Okay. Yeah.

VICE-CHAIR VICTORINO: If you wanna go, go ahead.

COUNCILMEMBER COUCH: . . .*(inaudible)*. . .

VICE-CHAIR VICTORINO: No, no, no, no. I yield to the guy from the area first.

CHAIR CARROLL: We shall call on Mr. Couch first.

COUNCILMEMBER COUCH: Thank you.

VICE-CHAIR VICTORINO: Yeah.

COUNCILMEMBER COUCH: I was just waiting to see if somebody else wanted to talk first.

VICE-CHAIR VICTORINO: Whatever but I'll wait for you. You ask the questions then I don't
need ask 'em.

COUNCILMEMBER COUCH: Thank you, Chair. And thank you, Captain, for being here.
You've seen the plans, what does your, what is, is the capacity of the area is that going
to add, need to have a few more or how many more officers would you need for the
patrol there?

MR. ORIKASA: Well for this particular development as with any development would have
some type of impact on police services. As far as that area in general, I would say at
minimum one motorized beat which would entail a minimum of seven officers to run
24/7. And on top of that there's associated equipment, vehicles, personal equipment
for the officers themselves, protective equipment and the year of training for all seven
officers.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

COUNCILMEMBER COUCH: Okay. So you're looking at seven more E/P. How many vehicles would that? That would be just one vehicle or?

MR. ORIKASA: We'd like to say three otherwise you would have a vehicle running all day.

COUNCILMEMBER COUCH: Twenty-four seven. Okay.

MR. ORIKASA: Which is not, you know, if it breaks down that's just one less car so we'd like, per motorized beat we would like to have I'd say at a minimum two, three would be optimum.

COUNCILMEMBER COUCH: Okay. Alright. Thank you, Chair.

CHAIR CARROLL: Anything else for the Police Department? Thank you.

MR. ORIKASA: Thank you.

CHAIR CARROLL: Next we'd like to hear from Robert Halvorson, Chief of Planning and Development, Parks and Recreation. Do you have an opening statement?

MR. HALVORSON: No, Chair.

CHAIR CARROLL: The floor is now open. Mr. Victorino.

VICE-CHAIR VICTORINO: No, I rather Mr. Couch start because that way he ask all the good questions then I don't have any questions afterwards. No problem. I allow the district representative first shot.

COUNCILMEMBER COUCH: I appreciate that, Mr. Victorino.

CHAIR CARROLL: Mr. Couch.

COUNCILMEMBER COUCH: Thank you. Mr. Halvorson, again the park capacity, I didn't see a lot of actual parks in there. What they have put in their plan is that sufficient to deal with the amount of people that are going to be there or are we going to get some more cash with park assessment fees?

MR. HALVORSON: The developer is planning to meet the park assessment requirements with parks in the development.

COUNCILMEMBER COUCH: With park all the way through. So all the parks that they have in there meet the requirements from the Department?

MR. HALVORSON: Correct.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

COUNCILMEMBER COUCH: Okay. Now, the other question I would have is, you know, we have a semi regional park, South Maui Community Park, and it's going through its process. Would it be beneficial to the Department to have another park around that size or whatever the size that the requirements are for this development to be one big park so that we have a little bit more of the fields capacity that we desperately need in Kihei?

MR. HALVORSON: The developer is showing more community parks, not active, you know, playing fields of that nature. Playgrounds and gathering places and places to play catch or something, not necessarily leagues and scheduled games.

COUNCILMEMBER COUCH: Yeah, and that concerns me a little bit because you're going to be adding 1,250 more homes in the area and already don't have enough park space even with the full build out of the community park which who knows when that's going to finish. So I have a little bit of concern that if we don't throw something up in there or potentially now working with the, ask the developer about this working with the next project to come up with some sort of complex that they can, that people can go there as well to keep, again, traffic off of Piilani Highway, et cetera. But you guys are, do you have any kind of capacity plan for the area? You've seen the Maui Island Plan now and so you know what the build out is supposed to be. Do you have some sort of plan of saying okay we need another park of this size in this location anywhere?

MR. HALVORSON: We're developing that plan now. There's a regional, we have land for a regional park above the police station that's still in the back of our mind. That's, when Kihei is built out that should be built out or something of that nature.

COUNCILMEMBER COUCH: Okay. Thank you, Chair.

CHAIR CARROLL: Thank you. Ms. Baisa.

COUNCILMEMBER BAISA: Mr. Victorino, you're done? I don't want to jump.

VICE-CHAIR VICTORINO: No, no, go ahead.

COUNCILMEMBER BAISA: Okay.

CHAIR CARROLL: I'm sorry.

VICE-CHAIR VICTORINO: No that's okay. That's alright.

CHAIR CARROLL: We won't forget you, Mr. Victorino.

COUNCILMEMBER BAISA: Thank you very much, Mr. Carroll. I appreciate it. You know I don't know enough about how planners do these forecasts but it's puzzling to me when we to figure out the impact of new houses in new housing development. Because maybe and I don't know what your assumptions are when you do your planning, if the people that are going to go and buy those houses and live in Kihei, live

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

in Pukalani or in Kula. So you have more people in this Kihei area but you'll have less people where they came from. How do we assume that, are they all new? Or what is this based on? I'm curious 'cause we always sit here trying to agonize about predicting, you know, impacts.

CHAIR CARROLL: Mr. Spence?

MR. SPENCE: Yes, I almost called you Madam Chair.

COUNCILMEMBER BAISA: Habit.

MR. SPENCE: I'm sorry it's habit. Could you repeat the question?

COUNCILMEMBER BAISA: Yeah, the question is, you know, I don't know how you decide. We're sitting here saying well we may need a new police station, we may need a new school, we may need this, and all these things we're going to need because X number of homes are going to be built in this area. Okay. My assumption is how do you, what are your assumptions based on? Do you assume that these are all going to be new people moving into the island and into that area or are these people going to move from other areas of the island into the area, and that to be closer to work which is going to be available in this project? And so you would increase need in one area but you would decrease it in another if that's the case. I don't know what your assumption is.

CHAIR CARROLL: Mr. Spence?

MR. SPENCE: We assume that there's gonna, we strictly look at the new population of that area. We won't ...

COUNCILMEMBER BAISA: You know I have heard of schools who have decreased enrollment when people leave a community.

MR. SPENCE: Yeah.

COUNCILMEMBER BAISA: So I've never heard us talk about that. We always talk about well what is the impact of this new stuff. What about the impact on the existing people moving?

MR. SPENCE: Yeah, I'm not sure we've ever done that analysis. We always assume that, you know, it's population increase. So what if --

COUNCILMEMBER BAISA: I'm beginning to have been here too long.

MR. SPENCE: --1,200 people moved out of, 1,200 families moved out of Kula into ...

COUNCILMEMBER BAISA: And Pukalani or wherever they are. Makawao.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

MR. SPENCE: Yeah ____ that would be ...

COUNCILMEMBER BAISA: Haliimaile.

MR. SPENCE: I'm not sure how to answer that.

COUNCILMEMBER BAISA: Well, you know, I'm beginning to be here awhile and I'm beginning to see a lot of the planning and how we do it. And I'm beginning to wonder if we only look at half of it and we don't look at the other half of it. 'Cause I have heard of decreased stores, decreased of schools and, you know, decreased use of stuff in certain areas. So maybe we need to kind of figure out both but I don't know how you do that.

MR. SPENCE: Yeah, I'm not sure. I'll go back to some of more, my more technically inclined planners and ask them about that.

COUNCILMEMBER BAISA: Thank you. I'm just curious. You know it's beginning to, I've been at so many of these land use things and we always focused on well we're going to build these homes and we going have this impact. What if those people were all living with their parents Upcountry or in Central Maui or whatever and they all moved to Kihei because now they have a job there.

MR. SPENCE: That's a good question.

COUNCILMEMBER BAISA: Yeah. Okay. Thank you.

VICE-CHAIR VICTORINO: Chair?

CHAIR CARROLL: Thank you. Any further questions for Parks? Oh, I ...

VICE-CHAIR VICTORINO: That's okay.

CHAIR CARROLL: I tell you we need to put a big sign over there.

VICE-CHAIR VICTORINO: That's okay.

CHAIR CARROLL: Mr. Victorino, followed by Ms. Cochran.

VICE-CHAIR VICTORINO: When you on the end of the tunnel no problem. I don't mind. I don't mind. I guess this would go to Parks but, you know, to you too, Mr. Spence. In all the years we've seen development and I have right here Kehalani, all this development, I've never seen a lessening in any other geographical area as far as decrease. Okay. And I think, Ms. Baisa, to answer your question there's a lot of dual families, four or five families live in one house so a new house comes up, one family moves out there's still probably two or three in that house for the locals. Okay. And then as far as new people. Walk around, I can tell you right now I walk around Kehalani I don't recognize as many people as I used to. It's a changing world. But

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

going back to you as far as parks is concerned. All these passive parks or community or, you know, these regional parks, not regional, but these little parks they have built. Like here at Kehalani they have these passive parks all over the place which I see now starting to develop into like little dog parks, and little, you know, I see little, the little guys, the Pee Wee guys go out there and practice. Is there, and I guess that's my question to you, is there a possibility that we put in some condition that some of this acreage could be dedicated for playing usage, for playing balls like baseball, soccer, whatever outdoor facilities that could accommodate some of these, I mean by some of this acreage? Can we do something like that, Mr. Halvorson?

MR. HALVORSON: You mean specifically state that this park here is only for baseball and this one here is only ...

VICE-CHAIR VICTORINO: No, no, no. No, that we build so many acres of playable fields within the project district.

MR. HALVORSON: Correct, that's part of our plan.

VICE-CHAIR VICTORINO: For this project?

MR. HALVORSON: Yes.

VICE-CHAIR VICTORINO: Oh, okay. You didn't ...

MR. HALVORSON: It's just not leagues and scheduled games and things like that. It's just practice and playing.

VICE-CHAIR VICTORINO: Well, you see that's the problem there. You got practicing and then before you know it they're playing and before you know it you got leagues there. So let me tell you how that all works and I just haven't done this for the last 35 years in various capacities in many leagues. Once you have an area that they can play and they can draw out and they can put a field in, it's a league going to move in next. So I just wanted to ask you that question and I guess thank you, Mr. Halvorson. I guess you answered the question but I think I know where I want to go with this one. Thank you. Thank you, Chair.

CHAIR CARROLL: Thank you. Ms. Cochran, did you have something? Oh, I'm sorry. Anybody else have anything for Parks? Incidentally, I will tell you that Mr. Spence is the one person we are not going to release. So, if you're worried about if you have something for him afterwards, we're going to keep him here. Is there anything further for Parks? If not, thank you, Mr. Halvorson.

MR. HALVORSON: Thank you, Chair.

CHAIR CARROLL: And we would now like to call on the Department of Water Supply. Eva Blumenstein, Program Manager, Department of Water Supply. Do you have an opening statement?

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

MS. BLUMENSTEIN: I don't. Thank you, Chair.

CHAIR CARROLL: Thank you. The floor is now open. Mr. Couch?

COUNCILMEMBER COUCH: Thank you, Mr. Chair. Thank you for being here. The question that's on everybody's mind including several of the testifiers is where are we getting the water?

MS. BLUMENSTEIN: Well, the Department has committed to serve the existing MRTC Park with the 18-lot subdivision and I think it's still open whether the expansion will develop as a private system or if portions of that is going to be or the entire development will be served by the Department. I think at least the residential component is subject to the availability rule. But this, our position has changed a little bit since the last time this came up for review. I think we're in a better position in terms of source availability so.

COUNCILMEMBER COUCH: With the extra 1.2 million gallons that the County is getting if we get the ...

MS. BLUMENSTEIN: Yeah, just in terms of available source on the Central system.

COUNCILMEMBER COUCH: Okay. When you say you're committed to the existing R&T Park, is it the existing buildings that are there or the existing entitlements?

MS. BLUMENSTEIN: The entitlements in terms of when that statement was made the available source was available for those 18 lots.

COUNCILMEMBER COUCH: For all the lots even the ones that aren't built on?

MS. BLUMENSTEIN: Right.

COUNCILMEMBER COUCH: Okay.

MS. BLUMENSTEIN: But at the same time, the Department doesn't really make a full commitment until --

COUNCILMEMBER COUCH: Right.

MS. BLUMENSTEIN: --you know, meter installation reservation.

COUNCILMEMBER COUCH: And so when they do the expansion in the residential, you know, ultimately in I guess 2034 is when they're saying they're going to have 1,250 homes plus all the commercial. At that time, you're thinking that we're going to be needing or they're going to be needing reverse osmosis or some sort of, they're going to tap into the brackish wells?

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

MS. BLUMENSTEIN: That's the million dollar question. If they came in today for part of this we would have available source for most of the development. Where we're going to be in 2034 we have the objective to supply the source and infrastructure for growth within the Urban Growth Boundaries. So that's the goal but whether that's going to be available we don't, I think it a little early to make a commitment from the Department.

COUNCILMEMBER COUCH: Right. Right. Well, you know, the 600 home subdivision has already been entitled at Kaiwahine area. So are you taking that into account when you talk about this project?

MS. BLUMENSTEIN: Yes. Yeah, again this is first come first serve so whatever we know is committed to date and what we have, what buffer we have available on the system, what's coming down the pipe.

COUNCILMEMBER COUCH: Okay.

MS. BLUMENSTEIN: It changes pretty fast.

COUNCILMEMBER COUCH: And then when you, if you got to the point where you couldn't commit then that's when they would have to drill and do the, our, reverse osmosis?

MS. BLUMENSTEIN: Yeah, I think it's still open at this point. The Department is willing to continue to work with the developer looking at those options or at the point they come in, if that's not feasible anymore to go completely private. I understand their _____ component _____ at all in any way come from reclaimed. So we're just talking potable --

COUNCILMEMBER COUCH: Correct.

MS. BLUMENSTEIN: --in that.

COUNCILMEMBER COUCH: Correct. So there is a potential that they would have a private system or a reverse osmosis system that you guys would take over?

MS. BLUMENSTEIN: No. No, we have not and we are not intending to.

COUNCILMEMBER COUCH: Okay. So if they go to the reverse osmosis it's a private system.

MS. BLUMENSTEIN: That would be a completely private system.

COUNCILMEMBER COUCH: Okay. Thank you, Chair.

CHAIR CARROLL: Any further questions for Water? Going once, hearing none, thank you very much.

MS. BLUMENSTEIN: Thank you.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

CHAIR CARROLL: Alright. Now we will hear, excuse me, from our Deputy Director of Public Works, Rowena Dagdag-Andaya.

MS. DAGDAG-ANDAYA: Good afternoon, Chair. And good afternoon, Members.

CHAIR CARROLL: Do you have an opening statement?

MS. DAGDAG-ANDAYA: I just have just a couple of thoughts that I wanted to share. I did want to note that the Department reviewed the final EIS, the precursor document to this Change in Zoning, Community Plan Amendment back in July 26, 2012. And we provided a number of comments, mainly that the project will need to be responsible for any kind of required improvements as required by HRS and by Maui County Code. We will also continue to review the project should it move past this entitlement phase when it comes before us for final subdivision or preliminary subdivision approvals, building permit, grading permit. So we'll have other reviews again at that time. We also made note that the development as it progresses that they come back to us to coordinate any requirements as far as alignment and laneage for any future mauka bypass going through their property. And then we also talked about or commented on their drainage master plans that they have some sort of plan in place for onsite and offsite flows. So just to reiterate, the Department did review the project at the final EIS stage with respect to drainage and traffic. And again, we will continue to review the project and be in close contact with any future development on this site. I do want to note that, I have here with me this afternoon Nolly Yagin of the Engineering Division and he's here to answer any technical questions as well.

CHAIR CARROLL: Thank you. The floor is now open. Mr. Couch?

COUNCILMEMBER COUCH: This one is going to be a long time. Are you guys here for a while? Well, there's two things. Let's go first with the drainage, you mentioned the drainage. How much low-impact design are you, is required or are they just supposed to look at it? I know they have a lot of that in their plans but I just wanted to get your thoughts on their low-impact design.

MS. DAGDAG-ANDAYA: Sure. Chair? And again, as far as low impact design, we don't have any requirements for it. It is stated in our storm water quality rules that those low-impact design be considered. And that's something that we've been talking a lot with the developer's representative that they should be considering low-impact design. I think in the, during the PowerPoint presentation there was a slide in there that showed an example of a green street feature with an inlet structure that would divert some storm water to go into something like a bio retention cell or a rain garden. So those are the kinds of features that the Department is really in support of.

COUNCILMEMBER COUCH: Good. Thank you. My biggest concern, one of my concerns but it's a fairly big concern is this borders Waipuiani Gulch and even if they were to retain every drop of water on their site, you know that there's going to be concerns downstream when there's a big flood. Is there anything that this project can do, I

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

know they may not be required to do by law but we might be able to work on it with conditions to help mitigate some of that, maybe slow the water down? Or I'm not quite sure, but, you know, just because Piilani Highway put, you know, when they redid the Mokulele-Piilani Highway intersection all of a sudden there was a flood right after that, and of course it was blamed that the intersection did it. So I just want to see if there's anything that they can do to mitigate some of that or slow the water down or something.

MS. DAGDAG-ANDAYA: Chair? The drainage issues in South Maui are a big regional issue that I, can't just be I guess dealt with with one development.

COUNCILMEMBER COUCH: Right.

MS. DAGDAG-ANDAYA: There's a lot of partnerships that I think need to be established with a lot of the large landowners on the mauka side of Piilani Highway. I wanted to note that we do have a drainage master plan draft that should be released sometime at the end of this summer or early September. So, in that sense, we'll be able to get a better understanding of what can be done and perhaps the cost that it will take in order to create some sort of, well, to develop any sort of mitigation for these drainage issues. I mean I think that discussion should continue to take place with the developer as well as all other landowners in the area.

COUNCILMEMBER COUCH: Yeah and that's my big concern is that okay we approve, say we approve this project and say well, you know, one little project isn't responsible for the whole drainage thing and then the next one comes along and say well we're not responsible either, but combined they certainly are. How do we, is there anything we can do in maybe a condition or whatever that you guys would be, would give you guys some authority to say okay now is the time to chip in on this or something?

MS. DAGDAG-ANDAYA: In terms of a condition, I don't have one prepared at this time. I think I'd want to discuss a little bit more with the Council and perhaps with my staff and my Director. So that's, yeah, I guess at this time I wouldn't have a condition in place.

COUNCILMEMBER COUCH: Okay. Yeah.

MS. DAGDAG-ANDAYA: But it's something that we could consider, we would like to consider. Yeah.

COUNCILMEMBER COUCH: Okay. Yeah, you know, in looking at their conceptual design and I have no doubt that they will keep to their designs because they've been hearing for years now at least this, the six years or five years I've been on here, they've been hearing about the concerns. And so they've done a good job I think of incorporating a lot of the low-impact design and lot of, you know, I think the water runoff will be much cleaner or much, a bit less than what goes onto the property. So I don't have a problem with that. It's just that cumulative effect on the two gulches. They actually have Waipuilani and then there on the other side is Keokea Gulch and that one

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

already is fairly controversial anyway. So I just want to see if we can figure out and maybe the, you know, they're listening to see if there's something we can come up with so that when other projects come online inside the Urban Growth Boundary we can get together and figure out what we can do.

MS. DAGDAG-ANDAYA: Sure.

COUNCILMEMBER COUCH: Okay. Thank you. That's for the drainage. I'll come back when we go to traffic.

CHAIR CARROLL: Members, anything further at this time? If not, you can continue, Mr. Couch.

COUNCILMEMBER COUCH: Okay. Then the next big thing is traffic as always. You know you look at traffic impact reports, et cetera, you know, these guys are the experts but you sometimes you just wonder where they get the information. And yeah I'm, and I'm okay with what they have to say it's just that sometimes at different times on the Piilani Highway especially it's kind of all kapakahi over there especially the way the lights are timed and the two lights that are right next to each other that are, will affect this project. I'm just concerned that yes, there are three, four, three or four proposed outlets onto Piilani Highway and that's it. And Piilani Highway at times can be quite congested. A lot of times it's fairly smooth flowing but at the peak times it gets crazy. So when you add all the folks that are going to or from work here, especially the amount of work places that's going on here, I can just see a lot of concerns on Piilani Highway. So, is there a way to work with this development and any other development to assist with the North-South Collector Road? 'Cause if we get some people down in the North-South Collector Road area, if we get that in and get that going that will alleviate some traffic on Piilani Highway. And I know they're going to do their part of the north-south mauka road; however, the other projects are going to be a long time before those get in. So it's going to be until other projects get in there and until that road which the State is claiming is going to be County road. We'll fight with the State on that one in a little bit. But you know until that road gets in and until that other project gets in and then until, until, until, that upper road is going to be, it will relieve some of the traffic on Piilani Highway just in the area where that road parallels it but after that everybody is going to dump back onto Mokulele or Piilani at the other end. So I just have a little bit of a concern as to how we're going to handle the traffic once this all gets built out. Again 2034, this isn't going to, if we say yes to this, tomorrow they aren't going to have 1,250 homes and however many businesses there but ultimately we have to keep making sure and it may be a completely different Council when more things come along. And I'm not sure how we can keep that at top of mind when things come 'cause it's easy to say well that will be handled next time. But we want to be able to do something now that can help mitigate in the future. Any ideas?

MS. DAGDAG-ANDAYA: I'm going to turn it over to Nolly.

MR. YAGIN: Well, I guess one way would be to have discussions with the developer on either contributing to the north-south collector or any other regional improvements within

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

Kihei, coordinating with us on the possible alignment of the mauka highway. I think those are discussions that we've really only touched on, like we haven't discussed it much in detail. But as far as the north-south collector we have it planned for 2020 which is kind of a ways away.

COUNCILMEMBER COUCH: Yeah.

MR. YAGIN: And we're hoping to start designs this coming fiscal year for one section. We've split up the project into two sections. You know plans change, funding changes. We've said that we would go into the design of the north-south collector for quite a while now.

COUNCILMEMBER COUCH: Yeah.

MR. YAGIN: And two years ago, we made the decision to start design on small segments at a time so which is why we have the north-south collector between Waipuilani and Namauu Place, which is --

COUNCILMEMBER COUCH: Short.

MR. YAGIN: --a bite size section.

COUNCILMEMBER COUCH: Yeah.

MR. YAGIN: Yeah.

COUNCILMEMBER COUCH: Well, maybe if we can sit down with the applicant because, and plus it's just, that's another issue altogether, the north-south collector. It really needs to go in, and it needs to go in sooner rather than later even before these guys come in I would think. So that's just another discussion that we have to work on. As far as the three or four exits onto Piilani Highway, what are your guys' thoughts on, by the time full build out?

MR. YAGIN: Yeah, it's hard to say. I mean you hear it from the community too about just how bad Piilani Highway can get. Being that it's a State facility I mean it, the construction or the improvements to the County facilities help out the highway itself. So with the report I mean there is some concern along the highway and I think building of the north-south collector would help that.

COUNCILMEMBER COUCH: Right. And they also mentioned the Welakahao access. It didn't look like in the PowerPoint and in the plans that, it didn't appear that they're planning on building it. Are they expecting us to build that?

MS. DAGDAG-ANDAYA: I believe the Welakahao access point ... this is Rowena Dagdag, Public Works. The Welakahao access point, I believe it was the applicant is required to do that.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

COUNCILMEMBER COUCH: Okay, 'cause I'm looking at the bubble that they drew towards the end on Page 43 and it just shows that out of the knowledge industry expansion campus, South Ninau Street, it just kind of goes to where there might be a road and then it shows Old Welakahao Road and then a circle at the intersection there. So maybe that's something I can ask the applicant because we have no plans. I've never, this is the first I've heard of any kind of access this way that the County was thinking of doing.

MS. DAGDAG-ANDAYA: Chair, if I can respond?

CHAIR CARROLL: . . .*(inaudible)*. . .

MS. DAGDAG-ANDAYA: According to a July 8, 2013 letter from the State Department of Transportation to Parsons Brinckerhoff, it states that for Phase II the project proposes to provide a third access via a T-intersection with Old Welakahao Road, east of the existing Old Welakahao Road intersection with Piilani Highway.

COUNCILMEMBER COUCH: Okay. So by implication means that they're going to have to build that all the way down.

MS. DAGDAG-ANDAYA: According to that, yes.

COUNCILMEMBER COUCH: Okay. And if you look at the map that's kind of again funky because you got East Welakahao Road which is the new Welakahao Road. Further north you have two T-intersections there and you know there's going to be calls for traffic signals eventually at those two intersections. So I'm a little concerned on how everybody kind of let that happen that way because you would think you'd want to make that a four-way intersection somewhere. I just, you know, that's a comment, we can deal with that later. And the last comment on traffic is are they planning on putting another traffic signal at Hookena Street and essentially turn, where Waipuilani comes across now?

MS. DAGDAG-ANDAYA: Chair? The plan I believe, again this would affect State right-of-way, Piilani Highway, I think the plan is to do a right in, right out on the extension of Hookena Street through that residential area --

COUNCILMEMBER COUCH: Okay.

MS. DAGDAG-ANDAYA: --next to the golf course.

COUNCILMEMBER COUCH: Alright. That's doable because Waipuilani, right there it's already a right in and right out in the other direction but it's only, what do you call those temporary bollards. They're plastic ones, that's the only thing that ...

COUNCILMEMBER COCHRAN: Jersey barriers.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

COUNCILMEMBER COUCH: That's not Jersey barriers. It's those little sticks that stick up in the middle of the road.

MS. DAGDAG-ANDAYA: Plastic.

COUNCILMEMBER COUCH: Yeah, and they're plastic. You can run right over those. So, I have little bit of concern there too but that's I guess between the State and the County maybe. Because if you look on this map, right next door, you know, several hundred feet down is the Kihei high school, proposed Kihei high school and there's supposed to be a traffic signal there as well. So you can see how that's no longer a highway anymore. It's going to be an avenue by the time everything gets done in this area. So that's why it's more important, it's also very important to get Liloa Drive finished, North-South Collector Road and that mauka road going. So I understand it's a great project but we have to be very, very careful of the traffic because otherwise there's just going to be gridlock down there. Alright. Thank you, Chair.

CHAIR CARROLL: Any further questions for Ms. Dagdag? Alright, Members, what I'm going to do is I'm going to call a ten-minute recess, almost ten minutes, so we'll reconvene at 3:40. And thank you, Ms. Dagdag. I'm going to keep Mr. Spence here and then you'll have the opportunity if you wish to call any of the applicant's people over here or the applicant himself. We are now going to stand in recess for ten minutes. . . .(gavel). . .

RECESS: 3:33 p.m.

RECONVENE: 3:46 p.m.

CHAIR CARROLL: . . .(gavel). . . This Land Use Committee meeting is now called back into session. And we have ... somebody ran away. Okay. We're at the point now where we're going to have Planning and we have the Department. Planning, Mr. Spence has a statement that I've asked him to make to clarify some of the things within the district. And Mr. Hopper was going to help him. Where is Mr. Spence?

UNIDENTIFIED SPEAKER: He's in the restroom.

VICE-CHAIR VICTORINO: Oh, that's more information that we all really need, Chair.

CHAIR CARROLL: Alright. At this point in time we're going to skip them. We have all of the professional people over here, the applicant and their people. Is there anybody, and you have before you, you know Water, et cetera, et cetera, that you would like to call forward to the podium to ask any questions?

VICE-CHAIR VICTORINO: Well, Chair, I would like to start with Water because I am very curious on the water issue.

CHAIR CARROLL: Could Mr. Tom Nance, I believe, for water. And after we hear from Water then we'll get to Mr. Spence.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

VICE-CHAIR VICTORINO: Oh, we can wait. If he doesn't mind let Mr. Spence give his ...

CHAIR CARROLL: Oh, he's down here already.

VICE-CHAIR VICTORINO: Okay. Okay.

CHAIR CARROLL: Please identify yourself at the microphone.

MR. NANCE: I'm Tom Nance of Tom Nance Water Resource Engineering.

CHAIR CARROLL: Mr. Victorino.

VICE-CHAIR VICTORINO: Yeah, thank you, Mr. Nance, for being here today. You know we've read and they have indicated that eventually that they were looking at developing a source of potable water. You know in this presentation that if necessary and I forget what page I was on, you know, they would look at that. I understand that the County right now has enough water to supply the needs of this project. Am I correct in your mind?

MR. NANCE: My understanding is they have enough water to do the first several --

VICE-CHAIR VICTORINO: Phases.

MR. NANCE: --aspects of it, maybe not the entire project.

VICE-CHAIR VICTORINO: That's what I'm asking.

MR. NANCE: Yeah.

VICE-CHAIR VICTORINO: So what is the plan for the additional phases if water is not available, potable water, now, I'm referring to potable water?

MR. NANCE: Right. If the water isn't available and the hope is that it will be but if it isn't they would drill wells, we've looked at two different concepts, one is that the wells would be located at about 580 foot elevation which is above the project on Haleakala ranchland. Drill up to five wells. They would be done incrementally as the demand increased, and that water would be used in two ways. One it would be, go through an RO, Reverse Osmosis treatment plant to produce the potable water. And at least at the time we created the concept, a little bit different than what got testified by the department head earlier, it looked like at the time that we created the concept that these wells would also have to back up the R-1 supply but the testimony earlier was that they think they'll have adequate R-1 supply. It's not a supply issue as much as just a hydraulic issue getting the water to the project site. The other set or other concept of the brackish wells was to bring them down into the project itself. That brings them a little further makai so the salinity that those wells would produce would be a little bit higher, and also it doesn't allow us to have a storage tank which needs to be about 100 feet higher than the highest area of the project so it can be served. So if

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

we went with that concept it's similar in nature in that the brackish wells would be developed. The brackish water would go through reverse osmosis treatment plant to produce the potable water but the distribution of the potable water to customers would be by a pump system from a storage tank onsite rather than by gravity from a storage tank above the site.

VICE-CHAIR VICTORINO: Okay. Thank you. And the reason I was asking these questions primarily is because almost all of Kihei's water supply comes from Central Maui. And, you know, the more, or the less dependent you become on Central Maui to provide water the better I feel. If you --

MR. NANCE: Yes.

VICE-CHAIR VICTORINO: --understand what I just said.

MR. NANCE: Absolutely. Yeah.

VICE-CHAIR VICTORINO: And, you know, seeing that right now you guys are pumping about 5 million from the Kamaole Aquifer and it's got a sustainable yield of 11 million and you're not even going to use even 1 million for this project. You know I would strongly encourage and we will definitely discuss it even further but encouraging development not only for your project, maybe for the high school and some other adjacent projects where I think we could share costs and actually have some development of potable water within the area. And, you know, I want to say I just got back from the American Water Works Association and in Anaheim they have some projects right now where we're taking resource water and converting it into potable water. It's become a necessity in California. I don't want to live to the day to see it become a necessity here in Maui. So resource water may become a big part of this whole issue also and eventually as far as potable water is concerned. But looking at the numbers here I know we have enough to take care of the project and maybe even adjacent projects in the area which wouldn't cost a lot to hook up. And save some of the Iao Aquifer that has been, being taxed at a, quite a high rate at this point. So thank you, Mr. Chair, I just wanted that known. And I'm glad that they have some plans in motion right here. Thank you.

CHAIR CARROLL: Any further questions for the water? If not ...

COUNCILMEMBER COCHRAN: Chair?

CHAIR CARROLL: I'm sorry, Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you. And thank you, Mr. Nance, for being here. And I believe I'm looking at the five wells you folks are anticipating. It's in our binder on, it says Exhibit 24 and it's alternative one, offsite brackish wells, and maybe you can see my diagram. But there was also some testimony in relation to this because they were feeling that ... are these to tap into the Kamaole Aquifer?

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

MR. NANCE: Yes.

COUNCILMEMBER COCHRAN: And I guess that particular aquifer not having been I guess thoroughly tested for long-term use as this may do, they were suggesting that this body put in a condition to include testing of down slope wells before and after installation of these wells.

MR. NANCE: Two different questions. Really is there enough water for the project to pump? That's question number one. And I think the answer is decidedly yes. So we're going to pump 1 or 1.2 million gallons a day maybe. In an area in the middle of the Kamaole Aquifer, all of the, not all of it, I would say 90-plus percent of all of the pumpage that's going on in the Kamaole Aquifer is down at the south end for the Wailea and Makena golf courses. There's some pumpage going on for irrigation of condo projects but it's incredibly small in comparison to the millions of gallons that's being, going for the golf course. And that's been ongoing for decades now concentrated at the south end without any long-term adverse salinity effects to the wells themselves. I think the question that the testifier was saying wasn't that we don't think these wells are going to work, it was what impact are they going to have on wells that are in the makai area. And I don't know how much of what I put in my study is in your documents but I looked at the decrease in the flow that would be passing underneath the project ultimately discharging along the shoreline, and looked at all the things that we would do to affect that flow, percolation of irrigation water _____. And it looks like depending on which of those two concepts we'd do we would diminish the flow by something on the order of 13 or 17 percent. So for the, I think there's four sort of active irrigation wells makai of this project that would be having to deal with that diminished groundwater flow. You know it's not, I hate to say it, but it's not an exact science for me to say with that decrease of flow the salinity level will rise X. But we do have lot of examples of upgradient, downgradient column conflicts. And in my view, just based on experience, 40 some odd years' worth, there's probably going to see a salinity increase in those downgradient wells something on the order of 5 or 10 percent. So if they're pumping chlorides that are 400, over time when this thing was fully built out with the backup plan that we've discussed, the 400 chlorides might rise to 450. That's still a reasonable quality for landscape irrigation, but it's undeniable that there will be a flow rate diminishing to some extent and some salinity rise in the makai area as a result.

COUNCILMEMBER COCHRAN: Okay. Well, thank you for your comments. Very candid and straightforward. So thank you very much.

MR. NANCE: Okay.

COUNCILMEMBER COCHRAN: Thank you, Chair.

VICE-CHAIR VICTORINO: Mr. Chair?

CHAIR CARROLL: Thank you, Ms. Cochran. Anything else for water? Mr. Victorino?

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

VICE-CHAIR VICTORINO: Yeah, thank you. And I, you know, I apologize, I failed to explain what resource water was. Resource water is actually water treated to potable level and that is now pumped back and is percolated through the ground to replenish the aquifer. Okay. So this is our hope that this technology and I've seen it in action, now, is something that we can use in our various. . .*(inaudible)*. . .and West Maui would be the prime candidate for that. It's not an injection well. It is really taking the water and putting it across areas so it percolates just like rain water into the ground and then you recharge your aquifers and you don't have these problems. And so this is one other project that I would like to see we start moving because this will diminish the usage on the, and prevent salinity from growing, what you're talking about. This is what this is all about. And California is in such dire need now they have expedited a lot of these areas so we will get results within the next six months to a year on some of the results on these new resource water supply that they're using. So anyhow, I didn't mean to get into details but I wanted people to understand what resource water was. It's not R-1 water. It's resource water which is pumped back in, you know, actually utilized and percolates through the system and recharges your aquifers. Thank you, Chair.

CHAIR CARROLL: Anything further on water for now? If not, thank you very much.

MR. NANCE: Okay.

CHAIR CARROLL: Mr. Spence?

MR. SPENCE: Thank you, Mr. Chairman. At the break you asked a couple of questions and I thought I would clarify for the Members exactly what's being applied for here, and at some point I'm sure Mr. Hart will weigh in on this. Well really the applicant is asking for two things, one of them is an amendment to the Kihei-Makena Community Plan, and another is a Change in Zoning. The first one, the Kihei-Makena Community Plan, currently the property is both Project District 6 and Agriculture. And so we're looking for those things to be amended. We're looking for the Project District 6 to all but disappear and go to MRT Park, Maui Research and Technology Park. And a portion of the Agriculture would also go to that. Okay. It would receive its own new category within the, back in the description of the different land use categories, you know, Single Family, Multifamily, et cetera. We would have a new description for MR&T Park. The second thing that they're asking for is a Change in Zoning. The, you know, the Technology Park currently has its own zoning chapter and what they're looking for is to adopt an entirely new chapter with a form based element to it and the list of uses, et cetera. And so that's also in your binder. It would add a chapter to Title 19, 19.38. This is, adding its own chapter is not unusual for Title 19. All your project districts have their own individual chapters where, you know, the standards are laid out, sometimes number of units, et cetera. This is similar in that it, this area of land would have its own chapter; however, it's not a Project District. So the additional review once the zoning is granted, there are mechanisms built into that particular zoning code that would go through, you know, how projects are reviewed, how different areas within the project are reviewed, and those kinds of things. So it's not unprecedented but the bottom line is the applicant is asking for those two things,

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

Community Plan Amendment to its own special designation and description within the community plan, and they've provided some language. And then adopting its own chapter within Title 19.

CHAIR CARROLL: Thank you, Mr. Spence.

MR. SPENCE: You're welcome.

CHAIR CARROLL: I asked Mr. Spence to clarify that because we want it on the record to be very clear where we're at. Alright. Members, we're at the point over here to where we have the applicant and I kept Mr. Spence. The other ones have been addressed, the different departments. The floor is now open if anybody wishes to have any clarification or information from the applicant or from Mr. Spence, proceed. Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. I guess for the applicant, I got quite a few questions for the applicant if we could have them up.

CHAIR CARROLL: Any specific area?

COUNCILMEMBER COUCH: I would think it would be from the --

CHAIR CARROLL: Oh, okay.

COUNCILMEMBER COUCH: --whoever the consultant is.

CHAIR CARROLL: Will the applicant's representative or the applicant please come forward.

COUNCILMEMBER COUCH: Either Mr. Perkins or Mr. Hart, either one.

CHAIR CARROLL: Please identify yourself at the microphone.

MR. HART: Jordan Hart, Chris Hart and Partners.

CHAIR CARROLL: Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. Thank you, Mr. Hart. Thank you for giving some good light reading. I have a question for you on, you heard some of the concerns that we've had all along but I want to start with the affordable housing. We talked about affordable housing and there was, Ms. Ridao thought that you hadn't initially planned to have the housing onsite and then in the application it looks like you're going to have them onsite. Can you clarify that for us?

MR. HART: Yeah, the intent is for them to be onsite.

COUNCILMEMBER COUCH: Okay.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

MR. HART: If I could add to that as well. There's a hard cap on residential units at 1,250 units and so that 313 affordable units would be part of that total number and not in addition.

COUNCILMEMBER COUCH: Okay. So, okay, that's good to know. We wanted to talk a little bit about affordable rentals. You heard the discussion with Ms. Ridao. Any thoughts? I know you have plenty of multifamily home areas in here and duplexes, and even four-plexes. Any thoughts of making those basically affordable rentals? Because that's, you heard the question too about if we do affordable housing it's just only affordable for ten years and then it goes away and it's no longer affordable. And we're desperately need a long, long, long-term affordable rentals.

MR. HART: Right. Well, you know, the location is appropriate for rental type housing. Part of the mix that's proposed would include those types of uses. With regard to establishing what they will be at this time, it's a little difficult. Basically this project is being entitled now but it's potentially going to be developed by different parties under the supervision of the overall association that's going to manage the development as indicated in this report. And so, as Ms. Ridao said, the current process for compliance with the Residential Workforce Housing Ordinance is that you establish your agreement when you're pulling building permits. And so those people pulling building permits, you know, may not be known at this time as far as who the entities or future developers of lots are. And so the project is open to complying and is an appropriate location for rental but it's a little difficult to commit right at this second to exactly how and also the, you know, exact time frame of when the units will be developed. Now the units, an applicant coming for a Building Permit has to have complied with the Workforce Housing Ordinance. So either you're building at the time or you're producing credits at the time, but, you know, where we are now, it's difficult to establish that, you know, the equivalent of an agreement at this moment.

COUNCILMEMBER COUCH: Right. I guess would the, I know it's not, you're not the applicant but you're representing the applicant. Would the applicant be amenable to having a condition that says a certain percentage, you know, whether it's 100 homes or 150 or something like that be kept in an affordable rental pool of some sort, maybe an apartment complex or something along that lines? And you're going to have to identify yourself.

MR. PERKINS: Steve Perkins. I'm the project manager for the owner. And yes, I think a portion of those we could commit as a project condition. You know it would be where that, that condition in, it would play into any other additional proposed conditions on how, you know, it makes the project ultimately viable. But I think that that is a condition, you know, say 100 units that could be designated as rental units. I don't know if I'd want to say apartments could be ...

COUNCILMEMBER COUCH: Right. Right. Rental units is fine. Whether they're, you know, however you would like to put it.

MR. PERKINS: A hundred of the 313.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

COUNCILMEMBER COUCH: Okay 'cause that's, you know, that would be, that would help, you know, a small help but it would help in the affordable ...

MR. PERKINS: You know in our studies in the EIS on the order of 40 to 50 percent of the project, if you got to 1,250 units you would have to have a number of those be multifamily units. You'd have substantially lower unit counts with single-family homes or something like that but to meet that requirement, yes.

COUNCILMEMBER COUCH: So the 1,250 you're anticipating you're just going to, you're going to build to capacity. Is that correct?

MR. PERKINS: You know it's hard to tell. I mean what we're, it's kind of like another _____, like a Maui Lani or a Wailea resort or something where we're coming before you folks and we're having you entitle this project and put the parameters on it for what we would like to do. And then we'll take those parameters and we'll go out and we're going to immediately start trying to find buyers for this product. And, you know, we're the developer of the project, while we might end up, you know, ultimately building some above ground component of it. We'll be looking to people that specialize in housing types to build out the actual housing, and so that would be okay. So I'm just pulling this out of thin air but like okay DR Horton, you have a parcel here, these are the design guidelines and all the different requirements the County and everybody has put on us. Do we got a deal? Can you build some houses?

COUNCILMEMBER COUCH: Okay.

MR. PERKINS: You know so that's how that will work.

COUNCILMEMBER COUCH: So instead of saying, you said 100 units would you rather a percentage like 33 percent of the affordable requirement needs to be or would you rather have an actual count?

MR. PERKINS: I think I'd rather go with an actual count.

COUNCILMEMBER COUCH: Okay. Alright.

MR. PERKINS: Yeah.

COUNCILMEMBER COUCH: That's fine. That's the concern I had about affordable homes. I got plenty more but if anybody else wants to talk to Mr. Perkins.

CHAIR CARROLL: Alright. Anybody else have anything for him while we have him up there? Alright.

COUNCILMEMBER COUCH: Alright well.

CHAIR CARROLL: Mr. Couch, did you have anything else?

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

COUNCILMEMBER COUCH: Oh, yeah I have more for him I just didn't know if anybody else did.

CHAIR CARROLL: Proceed.

COUNCILMEMBER COUCH: And this may actually, you know, there was a talk about deadline for construction and I know in the Land Use Commission decision order you have a 15-year deadline to, I think it was to start.

MR. PERKINS: We have to have our backbone infrastructure --

COUNCILMEMBER COUCH: Yeah.

MR. PERKINS: --in place within 15 years of the D&O, Decision and Order from the Land Use Commission.

COUNCILMEMBER COUCH: Yeah. So, you know, having that backbone in I think that's, that puts you way into the project. If something were to happen with the, with, you know, your company or whatever and somebody else came in at least that's a really good start. Would you be willing to have a condition to say once the backbone is in within five years you have to start your first set of construction?

MR. PERKINS: It's our intent to market this property immediately and to sell parcels and ultimately begin construction as soon as possible. But I would anticipate that that would be at least two years out from the time that you did do sales, you get all your permits in place, all your approvals for the roadways and for the above ground construction. And then, you know, we're going to continue and we're going to diligently pursue it. Given what we've seen over the life of this project, I've been working on this particular project for seven years. You know market cycles go up and down. This commitment with the backbone infrastructure is millions and millions of dollars. There's over \$100 million of on and offsite improvements in this project. And we've ...

COUNCILMEMBER COUCH: Yeah, you're going to have to recover 'em somehow.

MR. PERKINS: Yeah.

COUNCILMEMBER COUCH: So my biggest concern in this portion is that we don't want another 30-40 year, oh, in 40 years or however long I think Maui Lani is still going after so many years. We're trying to, if you want it, get it in there, build it, and let's get it going, you know, out to 2034 but if you stretch it on beyond that it might be troublesome.

MR. PERKINS: Our intent is to build this project out just as quickly as possible. Okay. It's going to take time.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

COUNCILMEMBER COUCH: Sure.

MR. PERKINS: You know in, you know, our projection given all, you know, we have all our experts here that can talk to scheduling and how those were arrived at but it's on the order of 20 years, you know, that's our best guess.

COUNCILMEMBER COUCH: Okay.

MR. PERKINS: And, you know, I can assert to you that we're going to make our best efforts to move forward as quickly as possible.

COUNCILMEMBER COUCH: And you heard my question about park fields. I see, I mean and I know it's a conceptual drawing and I see that you have, it looks like you may have one baseball field in your parks. Do you have any kind of park plan in this or is it one of those things that that's not really the backbone? And because you heard my comments about need for more parks --

MR. PERKINS: Right.

COUNCILMEMBER COUCH: --especially you guys and the guys next door to you we're going to need something up there I think.

MR. PERKINS: Right. You know and we were talking amongst the team and there's parcels that are designated Park or Open Space within the project where we can do things like basketball courts, tennis courts, those types of things. But, you know, for soccer fields or baseball diamonds the parcels that we have currently it would be pretty constrained. We have a lot of linear type parks where they're narrow in function. Do you have the parks plan open there? And I might have our master planner come up and talk a little bit about the parks plan if ...

COUNCILMEMBER COUCH: Well I just see in your, you know, your PowerPoint slide that you have, it shows what looks like a baseball field.

MR. PERKINS: Right. And that's a conceptual plan and that, in that concept plan there what we're assuming will go on that lot would be a school. I mean it's also, it's in another plan --

COUNCILMEMBER COUCH: Right.

MR. PERKINS: --that we have, the controlling plan, it's a civic area. So, you know, it could be a convention center, you know, and then, you know, or it could be a YMCA or, you know, another type of use. You know it, and we're, you know, we're, we would like to have some of these parks accepted by the Parks Department as part of our contribution. If we're not able to reach an agreement with them then, you know, we'll have to pay the park's fees that would develop, you know, these bigger type fields. You know in the development of this we never heard anything about any need to accommodate that. And our assumption and, you know, we probably shouldn't

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

assume these things is that right across the highway is the future South Maui Park, you know, all the phases of that.

COUNCILMEMBER COUCH: Right. But that's, it's not really a regional park --

MR. PERKINS: Yeah.

COUNCILMEMBER COUCH: --'cause it's too small. So alright. I understand your comments there. Can we move on to the archaeological? I had some concerns.

MR. PERKINS: Certainly.

COUNCILMEMBER COUCH: I guess who would that be?

MR. PERKINS: Dr. Mike Dega.

COUNCILMEMBER COUCH: Okay. Mr. Chair, is that alright?

CHAIR CARROLL: Yes, proceed. Please identify yourself at the microphone.

MR. DEGA: Michael Dega, SCS Archeology. Sorry, I was just finishing a snack in the hallway.

COUNCILMEMBER COUCH: Caught you then.

MR. DEGA: Yes.

COUNCILMEMBER COUCH: Okay. Question for you, there was testimony about some archaeological sites and I see some letters from SHPD that kind of confirm those sites. Are those, is that what you're calling site 2164?

MR. DEGA: That's a wall, yes, along the south side of Waipuilani Ridge. Yes.

COUNCILMEMBER COUCH: So that's the same one that the testifier was talking about?

MR. DEGA: No, Ms. de Naie was talking about, she had three issues actually. Can I go through each real quickly for you?

COUNCILMEMBER COUCH: Sure.

MR. DEGA: The first was a historic road that she said went through the property. It's probably true but what's important is the context of geography here. Did it go through the parcels we're talking about today or not? Which leads me to the second one she said there's a 100-foot enclosure. It was missed during the study. Actually it wasn't. I recorded that in 2007 as part of the Elleair Golf Course Study. You walk around hole number six or seven and it's right behind it. It's part of the Elleair property. So it's actually not on the applicant's property. Number three she talked about a small

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

midden scatter that was on the property. Again, it's not on what we're talking about today, it's in the general area of the property. SHPO basically approved our report and did not mention this. The Theresa Donham letter was 1994 which is much earlier than we did our survey in 2008 and certainly the SHPO would have, if this was on this property they have it in the records, they would have said can you investigate, check the status and preservation of it. So basically all three of those statements don't apply to this particular project because they're not on the project. They're somewhere else basically.

COUNCILMEMBER COUCH: The road is, pieces of the road aren't on the project? It kind of look like ...

MR. DEGA: If they are, both ourselves and the SHPO did not think they were significant enough so there's no significance status to it. As an example, I worked in Wailea 670 and the road does go across the property and the State basically said we agree, concur with you we don't find it significant. Deal with the developer if you want to preserve segments of that road through the property. And I know Lucienne and Charlie Jencks and a few people worked together to do that. In this instance, the same case, they would go to Mr. Perkins and try to work it out for preservation.

COUNCILMEMBER COUCH: And did they say what that road was? Was it, how old that was?

MR. DEGA: Nineteen twenties about as far as I can tell. Its historic period so it's, but I can get more information on it.

COUNCILMEMBER COUCH: I was just yeah curious if it's, it was built around the 1920s?

MR. DEGA: It was used in the '20s. We have to check on the actual building date of it.

COUNCILMEMBER COUCH: Okay. That's all I have. I don't know if any of the other Members have.

CHAIR CARROLL: Thank you. Anybody have ... Ms. Crivello?

COUNCILMEMBER CRIVELLO: Thank you. In regards to the wall that's located in the Waipuilani Gulch. It says it should be, from I get SHPD that be bordered by a protection orange construction fence prior to ground-altering activities.

MR. DEGA: Yes.

COUNCILMEMBER CRIVELLO: What about after?

MR. DEGA: After, well, if they're going to actually use that area near the fence within say 30 feet then we'll get the interim orange protection fencing and a preservation plan will be done formally to the State which will outline interim and long-term preservation

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

measures. Basically there will be a long-term buffer zone within say 20 to 30 feet that says you can't bring any machines near it, you can't build near it, et cetera, so.

COUNCILMEMBER CRIVELLO: Thank you. Thank you, Chair.

MR. DEGA: Thank you.

CHAIR CARROLL: Thank you. Anything further --

COUNCILMEMBER COCHRAN: Chair?

CHAIR CARROLL: --for the applicant's representative? Ms. Cochran.

COUNCILMEMBER COCHRAN: Yeah, thank you, Chair. And thank you, Mr. Dega, for being here. I don't know if you saw, you know, this page that Ms. de Naie had sent in with, to all of us in her testimony.

MR. DEGA: No I haven't.

COUNCILMEMBER COCHRAN: But according to this map here that she presented it shows that historical old road going through the eastern portion of the site. So according to this but again, you know, I don't know where this is referenced from and what have you so.

MR. DEGA: Yeah, I'm sorry I haven't seen it at all yet.

COUNCILMEMBER COCHRAN: Okay.

MR. DEGA: Yeah.

COUNCILMEMBER COCHRAN: I'd like further information though. And then she also has an old military USGS map too that runs through. And it's kind of hard to tell where your folks' property is in relation to this map but --

MR. DEGA: Right.

COUNCILMEMBER COCHRAN: --it obviously has meaning here. So yeah, I'd like to make sure that that's not going to be disposed of in any way or covered and forgotten forever because I think it's important that we know for sure that it's there or not --

MR. DEGA: Okay.

COUNCILMEMBER COCHRAN: --and take appropriate steps to preserve.

MR. DEGA: Okay. Thank you.

COUNCILMEMBER COCHRAN: Thank you.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

MR. DEGA: And we can actually go out and GPS the road through this parcel and overlay it and see where it actually does lie. Oh, thank you.

COUNCILMEMBER COCHRAN: Okay.

MR. DEGA: Thanks.

COUNCILMEMBER COCHRAN: So, yeah, just, I guess the historic Kanaio-Kalama Road is what it's being called --

MR. DEGA: Okay.

COUNCILMEMBER COCHRAN: --and seems to have been overlooked in the EIS. So thank you.

MR. DEGA: Okay.

COUNCILMEMBER COCHRAN: Thank you, Chair. Done. Yeah. Thank you, Chair.

CHAIR CARROLL: Thank you. Anything further? If not, thank you.

MR. DEGA: Thank you.

CHAIR CARROLL: Alright. Members, we still have all the applicant's representatives here plus Mr. Spence. Mr. Couch?

COUNCILMEMBER COUCH: Thank you. I would like to talk to whomever is responsible for the Welakahao access.

CHAIR CARROLL: I'm sorry.

COUNCILMEMBER COUCH: Whoever is responsible for the Welakahao access road.

CHAIR CARROLL: Could that person please come forward and identify themselves in the microphone again.

MR. PERKINS: Steve Perkins, project manager for the applicant.

CHAIR CARROLL: Mr. Couch.

MR. PERKINS: Responsible or...Mr. Couch.

COUNCILMEMBER COUCH: Well, are you guys ...

MR. PERKINS: Do you need to talk to a traffic engineer?

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

COUNCILMEMBER COUCH: In the, in all of the representations it doesn't show that you're actually going to, or it doesn't imply that you're actually going to build the road all the way down to that intersection.

MR. PERKINS: That's our intent. Yes, sir.

COUNCILMEMBER COUCH: That is the intent. Okay. And I know the golf course is right there so you can't really come down and intersect with East Welakahao Road.

MR. PERKINS: I'm going to have our traffic engineer come up and talk about the details of that but it is our intent to negotiate with the golf course to align those roads --

COUNCILMEMBER COUCH: Thank you.

MR. PERKINS: --near the gulch and near the golf course. On the north end, you're talking about Hookena?

COUNCILMEMBER COUCH: No, I'm talking about Welakahao.

MR. PERKINS: Okay. Yeah, I don't know how we would do that.

COUNCILMEMBER COUCH: Yeah.

MR. PERKINS: But yeah, let me bring up the traffic engineer.

MR. MATSUNAGA: My name is Phil Matsunaga with Parsons Brinckerhoff.

COUNCILMEMBER COUCH: And I guess there doesn't appear to be a real easy way to align East Welakahao Road with what your, your Welakahao exit.

MR. MATSUNAGA: Yeah, we ...

COUNCILMEMBER COUCH: Because it would have to go through a couple holes of the golf course, right?

MR. MATSUNAGA: We didn't have any plans to do so.

COUNCILMEMBER COUCH: Because you would have to deal with the golf course?

MR. MATSUNAGA: Yeah, we had just gone with the existing treatment plant location as a third access for Phase II.

COUNCILMEMBER COUCH: Well then I would have to take a look at it again but did you consider, you know, I mean you're a traffic engineer you see that there's a T-intersection here and then a couple hundred feet the other way is a T-intersection on the other side of the highway. I think there is part of the golf course right there.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

Now I'm thinking that may be the green waste area. No, it's just on the other side of the green waste area, I think. Yeah, Mr. Perkins.

MR. PERKINS: So, Steve Perkins. There's a very narrow roadway easement through that area and it's a complicated land use pattern in there with a number of different owners: the ranch, the golf course, the County. So that's the route for us. I think that if there's any movement, you know, on the other side of the road, on the makai side of Piilani Highway it would be to move the road to the south to align. If there was, that's the only way I could see that happening. And ...

COUNCILMEMBER COUCH: Yeah that would run right into the church. There's already buildings there and whatnot I believe so I don't think that would work. I just have concerns with that T-intersection. But I mean if you're going to do right in, right out that's fine but we already have at Welakahao Road people trying to take a left to go north on there and hopefully if you have the access that, on your side of the highway that it would just be right in, right out because otherwise we'll get calls every day, all day.

MR. PERKINS: I will point out that one of our conditions of development from the State Land Use Commission is that we reach a memorandum of agreement with the State Department of Transportation and that agreement has to be in place before we get final subdivision authority. So, we're very anxious to get that agreement in place as well. And, you know, DOT has us on the hook so to speak for those types of issues on the State highway. And making sure that, you know, what our plans are and everything will be to their satisfaction.

COUNCILMEMBER COUCH: Yeah sometimes, I'm going to channel Mr. Hokama at this point but sometimes to their satisfaction is nowhere near to our satisfaction since we're the ones that have to live with all the phone calls.

MR. PERKINS: Received.

COUNCILMEMBER COUCH: Alright. And then on the other side, somebody was telling us and I don't know if it was you guys or not, it is going to be right in, right out at Hookena, right, is that correct?

MR. PERKINS: We're open to what the State wants us to do at Hookena. If they're, you know, our most recent discussions with them we had originally proposed a right in, right out. And my understanding and it's been a while since I've read all the way through this, my understanding is they're now requesting or advocating for a signal at that intersection.

COUNCILMEMBER COUCH: Well I guess this is something we have to deal with them because that's going to be right next to Piikea and then right, which is right next to Lipoa and then on the other side is going to be Kulanihakoi for the school. So that's going to be just crazy in that section there. In your discussions with them can you express our major concern of yet another traffic signal in that vicinity?

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

MR. MATSUNAGA: So, I'm not the one who had the discussion but we did talk with HDOT Traffic Branch and they had expressed that they were receptive to the idea. They weren't advocating the traffic signal but they were receptive to the idea of it. They saw the benefits of it such as for example right now the existing Waipuilani is a right in, right out. You have residential along Waipuilani that currently would, if they wanted to go north on Piilani Highway you'd have to go to Piikea instead. So it does provide an access for them to Piilani Highway so there's no temptation to make that illegal left turn now.

COUNCILMEMBER COUCH: Well they can't right now because there's those ...

MR. MATSUNAGA: Well, but there's no temptation to do it. There will be, the demand for it, that there is for that movement would be satisfied by a traffic signal.

COUNCILMEMBER COUCH: Well we can discuss, I mean we can work with, try to work with the, the State on that because that's also where if the North-South Collector Road goes in there then it goes right to Kulanihakoi, right to a signal so that would handle the, them turning left, which is what they do right now, go to Piikea which causes a bit of problem. So again I guess that goes to the County working together with you guys and getting the north-south collector in in at that area 'cause that would, I think would alleviate any need for a signal at that intersection.

MR. PERKINS: So we'll certainly pass along those concerns that were raised, and I'd also like to point out that with this draft agreement has to be circulated through Public Works and Engineering at the County level for buy off on the ultimate plan. So there will be ample opportunity for comment on whether or it's a right in, right out or a signal coming up.

COUNCILMEMBER COUCH: Except for, from Council. The folks that have to field all the calls. Alright that's fine. I'm, I think that was all I had, oh, yes, no I'm sorry, the mauka connector road, collector road, you are still in discussion with Kaonoulu Ranch?

MR. PERKINS: Absolutely. The Kihei mauka project we're very close connection with them and actually it's called out in the Maui Island Plan that all the developments on the makai side of Piilani Highway shall coordinate the alignment of that north-south transportation corridor. You know it ...

COUNCILMEMBER COUCH: Okay. So you are working --

MR. PERKINS: Absolutely.

COUNCILMEMBER COUCH: --'cause I notice it's not that big of a road. It's just two lanes it looks like with a big median in the one section there.

MR. PERKINS: So there's an allowance ... if I may, Mr. Couch?

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

COUNCILMEMBER COUCH: Sure.

MR. PERKINS: There's an allowance for a total of four lanes traveling north-south for collaboration with our neighbors to the north and the south. And we're committed in our, with our infrastructure build out by 15 years of our State Land Use Commission D&O to building out that. So it's in excess of two miles of that approximately ten mile corridor will be built out by the applicant.

COUNCILMEMBER COUCH: Would that be Ninau Street or the unnamed street above?

MR. PERKINS: Both.

COUNCILMEMBER COUCH: Both?

MR. PERKINS: Both.

COUNCILMEMBER COUCH: Okay. That's interesting. Both would be four lanes or two lanes each?

MR. PERKINS: Two lanes each.

COUNCILMEMBER COUCH: Oh, okay. Okay. Alright. And I see depictions of roundabouts but certainly not actual engineering drawings of roundabouts. I'm assuming you're going to put as many roundabouts in there as you can?

MR. PERKINS: We're constrained by the controlling plan that should be in your packet. It should be labeled controlling plan, and I believe that that does show roundabouts.

COUNCILMEMBER COUCH: Yeah. Okay. That's it I had for traffic. I don't know if anybody else has questions on traffic.

COUNCILMEMBER COCHRAN: Chair?

CHAIR CARROLL: Ms. Cochran?

COUNCILMEMBER COCHRAN: Yeah, thank you. No, you touched on the last comments in reference I think there are traffic circles in here. Is that what they were called too, same as roundabouts or are they different?

MR. PERKINS: I don't believe there's a difference.

COUNCILMEMBER COCHRAN: It says within the project.

MR. PERKINS: Phil, you're going to have to, is there a material difference between the two?

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

COUNCILMEMBER COCHRAN: Traffic circle versus roundabout. It's not in that, I'm looking in my binder so it's not in your PowerPoint you presented.

MR. PERKINS: Okay. I better get an expert to answer your question.

MR. MATSUNAGA: I'm not actually an expert on roundabouts in particular but I think the main difference would be, well, the size, the laneage. Like what you have at, what is it, Piikea, Liloa or whether you would have something bigger. You know I can't really say. Would the planner be better? Yeah, but that's ... it's ... yeah.

COUNCILMEMBER COCHRAN: Yeah, I guess my question having looked at this and it's within the site plan itself and they just, you're depicting traffic circles and then also key transit stops which are circular drawings also on the map. So but this is all within your plan and so I'm just wondering if that is considered backbone and stuff that's going to be, you know, the infrastructure that's going to be there first and then you're going to do the built environment around these things that I'm looking at. And then there's arrows so I'm wondering are these all one ways 'cause none of 'em look like two ways. And I suppose that's within your jurisdiction to manage how you want your people, you know, within your project to navigate around I guess.

MR. HART: Yeah, this is Jordan Hart, Chris Hart and Partners. So the backbone infrastructure is all the primary roadways and utilities that are necessary. To kind of speak directly to the traffic circle/roundabout line of questioning, they're certainly not proposed to be traffic signals if that's the general, you know, concept of the question. Then the final regarding the configuration of the roadway, this is the way that they're proposed to be developed; however, we do need to proceed through the final subdivision approval process which will include some commentary on preference of roadways from Public Works and so on.

COUNCILMEMBER COCHRAN: Okay. And so these transits, transit stops, is that in reference to such as our Maui Bus public transit system that would be coming through the area and this is what your idea is to set these --

MR. HART: That's correct.

COUNCILMEMBER COCHRAN: --areas ahead? Okay. Alright. Well very good. Thank you. Thank you, Chair.

CHAIR CARROLL: Thank you. Any further questions for the applicant or Mr. Spence? I see Mr. Couch looking through his book --

COUNCILMEMBER COUCH: No, no.

CHAIR CARROLL: --so I'll give him a moment.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

COUNCILMEMBER COUCH: Okay. I'll go with the low-impact design that you, that we talked with Public Works. I know you're well, really familiar with the low-impact design, how much of that do you hope to incorporate into this project?

MR. HART: It's outlined in the development plan as well as the sustainability plan for the project. But the intent is to pursue it as much as reasonably possible, as much as feasible, you know, at the time of development. And so we just recently met with Public Works and requested their preferred document regarding low-impact design. Unfortunately, the Department doesn't have a document that they taut as their primary source of reference. I was hoping to, you know, make reference to something like that here today, but the project is committed to developing the project consistent with the development plan which outlines those components for storm water retention.

COUNCILMEMBER COUCH: Okay. And I guess the last question I think I have, I've written down is the, in your PowerPoint towards the very end you have I think it's Page 47 that the proposed request would not adversely affect or interfere with public or private schools. You say other things but can you explain that a little bit because adding 1,250 homes, some of those folks are going to have --

MR. HART: Sure.

COUNCILMEMBER COUCH: --kids and they're going to want to go to school and we have some, I know it fluctuates and there's been times when some of the schools have been low in attendance and sometimes they're high. So adding however many, what the statistical number is I think might adversely affect some of those schools.

MR. HART: Sure. So the State of Hawaii has requirements for school impact fees. The project is proposing to comply with those requirements as well as in consultation with the State DOE about potentially siting a school onsite. So through a combination of potentially siting a school site or paying outright fees, those impacts are mitigated.

COUNCILMEMBER COUCH: Okay. Alright. Thank you, Chair.

CHAIR CARROLL: Anything further? Thank you very much. Anything further for any of the applicant's representatives that you would like to bring up at this time?

VICE-CHAIR VICTORINO: No. Recommendation.

CHAIR CARROLL: Alright. Members, we're at the point over here where usually somebody would say, if they were comfortable with everything, "Chair's recommendation," well, I don't hear anybody jumping up with "Chair's recommendation."

VICE-CHAIR VICTORINO: No, I just said that, Chair, "recommendation."

CHAIR CARROLL: Is there any objection to the Chair giving his recommendation?

COUNCILMEMBER GUZMAN: No objection.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

COUNCILMEMBER COUCH: No objection. We have a couple, I mean I have a condition or two that I'd be wanting to talk about before we, I would think before we get into the recommendation. I'm a little uncomfortable for it ... go ahead. Go ahead. I'll get your recommendation.

CHAIR CARROLL: Okay. The Chair will give his recommendation. The Chair will first entertain a motion to recommend passage on first reading of the proposed bill entitled, A Bill for an Ordinance Amending Ordinance No. 2641 (1998), Kihei-Makena Community Plan and Land Use Map from Project District 6 (R & T Park), Public/Quasi-Public and Agricultural to Maui Research and Technology Park for Property Situated at Kihei, Maui, Hawaii, incorporating any nonsubstantive changes.

VICE-CHAIR VICTORINO: So move, Mr. Chair.

COUNCILMEMBER GUZMAN: Second.

CHAIR CARROLL: It's been moved by Mr. Victorino, seconded by Mr. Guzman. Discussion. Mr. Victorino?

VICE-CHAIR VICTORINO: I'll yield to Mr. Couch, but I also will say this I mean the other thing I'm not too happy about is now we're down to just almost bare quorum and again, you know, Mr. Chair, this troubles me when you're talking something this extensive. And I also would recommend to Mr. Couch if you have any conditions that you want to add we still have, you know, this is just the Committee's recommendation, we still have first reading that, you know, you could always put that together. Because I don't want something done on the fly and then, you know, you start trying to figure out later what you meant to say. So that's my only take on this but that's up to Mr. Couch, so I'll yield to him now.

COUNCILMEMBER COUCH: Thank you --

CHAIR CARROLL: Mr. Couch?

COUNCILMEMBER COUCH: --Mr. Victorino. Thank you, Mr. Chair. You know as much, you know, we're trying to move things forward, looking at I mean the change in community plan language there's a bit in there and that's the one that we're working on right now. And then as Mr. Victorino says a couple of conditions. I would rather discuss it with the applicant and say can we put, you know, how do you feel about this and then put the conditions in and get 'em in proper form and get it out at another time. Only because I feel rushed on this, you know, we got this what, six days or however many days ago and this is a lot of reading.

CHAIR CARROLL: Alright. I have reserved already, I've made sure I don't have anything on July 1st my meeting date. I have that date reserved already assuming that we might have questions that needed to be answered. That's why I asked if anybody wanted to, the Chair's recommendation at this time because I honor my Members.

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

COUNCILMEMBER COUCH: Yeah, and I hate to delay it. I know they have been waiting for a long time but I just want to sit with them a little bit and, and, with some folks and see if we can come up with a couple conditions that will alleviate some concerns that I know I have and testifiers have.

CHAIR CARROLL: Alright. Members, Mr. Couch has concerns. Ms. Cochran was also asking for some clarification on sites.

COUNCILMEMBER COCHRAN: Yes.

CHAIR CARROLL: I think it would be appropriate like Mr. Victorino said we almost have bare quorum, and I'm sorry to say this Committee operates on bare quorum more often than not. But if there's no objection I would ask Mr. Victorino if he would be willing to withdraw the motion.

VICE-CHAIR VICTORINO: Not a problem, Mr. Chair. Yeah, I'll do that so that Mr. Couch ...

CHAIR CARROLL: No objection to withdrawing the motion on the floor?

VICE-CHAIR VICTORINO: Yeah, you know, that he has an opportunity --

CHAIR CARROLL: Thank you.

VICE-CHAIR VICTORINO: --to get it together.

CHAIR CARROLL: Alright. Members, and the applicant, we are at the point over here where we would have to adjourn in 20 minutes anyway. We have to get out here by 5:00. There is not much more to do actually on this. It's very little. I think we have covered it quite well. There are few questions that Mr. Couch has from his district over there and Ms. Cochran had one thing, and you might think of something else before then. It would be nice of course to pass it out but we do want to make sure that we're doing it right and there's only a few things to answer and I think waiting a couple of weeks will make sure that we can cross all the T's and dot all the I's and we can get this out here in an appropriate manner. Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And thank you for doing that. And I want to let the Members know that, you know, this is Form-based Code. This is a kind of a hybrid of Form-based Code so this is something that I really encourage you to take a look and, and come up with an idea of what, this is very innovative. This Calthorpe Company is a very innovative design company. So, I'm really pleased with this. I just have, you know, the concerns you've heard. And but it is a significant change in our Zoning Code at least for this portion of Kihei. So, I encourage everybody to take a look at it and see if we can get a grasp on it for future use 'cause this is I think what we're trying to move to eventually. So, I'm just making that as a comment that they did a great job on this. You even heard the people who had some concerns

LAND USE COMMITTEE
Council of the County of Maui

June 17, 2015

about other things saying this is a great project. And if we can just iron out those couple little details I think this is a fabulous project. So thank you.

CHAIR CARROLL: And we will work with the applicant to clarify the questions that the Members have. Is there any further discussion?

ACTION: DEFER pending further discussion.

CHAIR CARROLL: If not, I would like to thank the applicant especially for bringing his people over here. The Chair and the Members appreciate your diligence. And the Staff, we appreciate them spending their time. Having no further discussion, this Land Use Committee meeting of June 17th stands adjourned. . . .(gavel). . .

ADJOURN: 4:44 p.m.

APPROVED:



ROBERT CARROLL, Chair
Land Use Committee

lu:min:150617:cs

Transcribed by: Cathy Simmons

**LAND USE COMMITTEE
Council of the County of Maui**

June 17, 2015

CERTIFICATE

I, Cathy Simmons, 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 this 10th day of July 2015, in Wailuku, Hawaii.



Cathy Simmons