

LAND USE COMMITTEE

Council of the County of Maui

MINUTES

August 22, 2018

Council Chamber, 8th Floor

CONVENE: 1:37 p.m.

PRESENT: Councilmember Riki Hokama, Vice-Chair (Temporary Chair)
Councilmember Alika Atay
Councilmember Stacy Crivello
Councilmember Don S. Guzman (in 2:22 p.m.)
Councilmember Kelly T. King
Councilmember Yuki Lei K. Sugimura
Councilmember Mike White (in 1:39 p.m.)

EXCUSED: Councilmember Robert Carroll, Chair
Councilmember Elle Cochran

STAFF: Carla Nakata, Legislative Attorney
Saumalu Mataafa, Legislative Analyst
Rayna Yap, Committee Secretary

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

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

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

ADMIN.: William Spence, Director, Department of Housing and Human Concerns
Joseph Alueta, Deputy Planning Director, Department of Planning
Paul Haake, Fire Captain, Department of Fire and Public Safety
Lionel Montalvo, Deputy Fire Chief, Department of Fire and Public Safety
David Goode, Director, Department of Public Works
John Buck, Deputy Director, Department of Transportation
Wendy Taomoto, Engineering Program Manager, Department of Water Supply
Jeffrey T. Ueoka, Deputy Corporation Counsel, Department of the Corporation Counsel

OTHERS: Zandra Amaral
Amy Halas
William Frampton, Frampton Consulting LLC
Stacy Otomo, Otomo Engineering
George Rixey, Artel Inc.

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Peter Horovitz, Esq., Merchant Horovitz, LLC
(18) additional attendees

PRESS: *Akaku: Maui Community Television, Inc.*
Colleen Uechi, The Maui News

VICE-CHAIR HOKAMA: . . .*(gavel)*. . . The Council’s Committee on Land Use shall come to order. This is the regular meeting of August 22, 2018. Present this afternoon are Committee Members Ms. Crivello.

COUNCILMEMBER CRIVELLO: Aloha, Chair.

VICE-CHAIR HOKAMA: Good afternoon. Mr. Atay.

COUNCILMEMBER ATAY: Good afternoon, Chair.

VICE-CHAIR HOKAMA: Good afternoon. Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Good afternoon, Chair.

VICE-CHAIR HOKAMA: Good afternoon. And Ms. King.

COUNCILMEMBER KING: Good afternoon.

VICE-CHAIR HOKAMA: Chairman Carroll is unable to attend. He’s excused, as well as, Members White, Guzman, and Cochran. We’ll continue the review of Land Use 2(4) which is under the general heading of Affordable Housing Projects, sub-heading Chapter 201H, Hawaii Revised Statutes; specific heading is Waikapu Development Venture, LLC, Affordable Workforce Housing Project (Wailuku). So again, Members, we have communication dated July 25, 2018 with an application. We also have a proposed resolutions; one to either approve or disapprove as well as one with modification. And the one with modification was part of an August 15, 2018 correspondence, from Department of Corporation Counsel, with modifications in Exhibit “A” and various exemptions from certain requirements in the Maui County Code. Okay. Before we start, Members, we will take public testimony on this item. Everyone is permitted three minutes to speak on this one item only. State your name, you represent an organization share that with the Committee, please. You address your remarks to the Chair, not to the gallery. Any noise-making devices shall be turned off or placed on silent mode. We enforce decorum in this Chambers. Currently we have been notified that there is no one wishing to provide testimony in either Hana, Lanai, or Molokai District Offices. We have a request in the Chamber this afternoon. We have one person requesting to provide testimony and we call up Zandra Amaral Crouse to speak on this item. And we recognize Mr. White this afternoon.

. . .BEGIN PUBLIC TESTIMONY. . .

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MS. AMARAL: Good morning, Committee Chair and Councilmembers. Affordable housing before us again and I appreciate all your hard work. My name is Zandra Amaral Crouse and I am testifying on LU-2(4), Affordable Housing Project. According to our affordable housing policy, analysis, and implementation plan, Chapter 2.96, Residential Workforce Housing Policy, the purpose of this chapter is to ensure the public welfare by ensuring that the housing needs of the County are addressed. The Council finds that there is a critical shortage of affordable housing; making home acquisition, by the majority of County resident workers extremely difficult and creating a shortage of affordable housing and rental units. The resident workforce is leaving our County in search for affordable housing. And new employees are being deterred by high cost of living. To maintain a sufficient resident workforce in all fields of employment and to ensure the public safety and general welfare of the residents of the County of Maui, resident workforce housing needs must be addressed. It is the intent of this Chapter to encourage the provision and maintenance of residential workforce housing units for both purchase and rental to meet the needs of income-qualifying households for the workforce, students, and special-housing targeted groups. Definition, affordable housing refers to housing units that are affordable by the section of society whose income is below the median household income. It is largely the same in all counties and states. Affordable housing should address the housing needs of the lower and moderate income households. Affordable housing becomes a key issue when a majority of the population isn't able to buy houses at the market-value price. Disposable income of the people remains the primary factor in determining the affordability. As a result, it becomes increasingly responsible of the government to cater to the rising cost for affordable housing. We need to work closely with those willing to do business on Maui and build affordable housing. We have already made it so cost-prohibitive for a developer to build on Maui; driving out a true ambassador for affordable homes, the Spencer family. There are real faces behind the children seeking to be able to live in their birthplace. I ask you to provide them, please, with a place to call their own home. Mahalo.

VICE-CHAIR HOKAMA: Thank you for your testimony, Ms. Crouse. Any questions for clarification? Thank you very much for your presence.

MS. AMARAL: Thank you, Chair.

VICE-CHAIR HOKAMA: We'd like to call Amy Halas, please. If there's anyone else in the Chambers that would like to provide testimony, please make yourself known.

MS. HALAS: Good afternoon.

VICE-CHAIR HOKAMA: Good afternoon.

MS. HALAS: I just wanted to make just a few comments about a few concerns. I noticed that the first...well, there's a number of exemptions on here that are of concern; specifically, an exemption to the General Plan and the community plan. And I'm just bringing this up because right across the street from this proposed affordable housing

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development, Maui Electric was doing some excavation work which was actually halted out of concern for the burials. As you know, there's numerous burials right across the street at the Maui Lani project development. So, I'm just wondering if there's some way to actually cancel this exemption and include it, have it vetted by the community for the Wailuku-Kahului Community Plan? In cultural resources, it says identification, protection, preservation, enhancement, and where appropriate use of cultural practices in sites, historic sites and structures, and cultural landscape and view planes that provide a sense of history and define a sense of place for the Wailuku-Kahului region and preserve and protect Native Hawaiian rights and practices customarily and traditionally exercised for subsistence, cultural, and religious purposes. I'm bringing this up again because there were numerous burials and other archaeological finds found in the Spencer Homes subdivision. I just wanted to point those out. Affordable housing is sorely needed, yet I'm concerned that the exemptions granted to this project and that the fast-track nature might in turn imperil in situ burials and perhaps other culturally-sensitive resources that might indeed be in this parcel of land. I did not find an Archaeological Inventory Survey. I did look and I wasn't able to find one. So, I just wanted to bring up my concerns as a community member. So, mahalo for your time.

VICE-CHAIR HOKAMA: Thank you, Ms. Halas. Any questions for clarification on her testimony, Members? Having none, Ms. Halas, thank you very much.

MS. HALAS: Thank you.

VICE-CHAIR HOKAMA: Okay, we have no further requests for testimony. Is there any request from our District Offices?

MS. NAKATA: Mr. Chair . . .*(inaudible)* . . .

VICE-CHAIR HOKAMA: Okay. Your Chair is...will report to the Members that we have no further request for testimony here or the District Offices. With no objections, we shall close testimony for today's meeting.

COUNCILMEMBERS: No objections.

VICE-CHAIR HOKAMA: Okay. Thank you. So ordered.

. . .END OF PUBLIC TESTIMONY. . .

ITEM LU-2(4): AFFORDABLE HOUSING PROJECTS (CHAPTER 201H, HAWAII REVISED STATUTES) (WAIKAPU DEVELOPMENT VENTURE AFFORDABLE HOUSING PROJECT (WAILUKU)) (CC 17-12)

VICE-CHAIR HOKAMA: Let's start the continuing review of the item, Members. There is a clock ticking on this application for Council to make a decision, either to approve, disapprove, approve with modifications. That's your three options. Okay. Let's see,

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now, I do know last meeting we did start the review of various departments. We were going through various exemptions by departments. I believe we had Public Works up during the last and met with Ms. Andaya, Members. We also discussed the financial amount that the developers would save in fees that would otherwise be owed to the County and you have a correspondence or transmittal dated August 22nd, Merchant Horovitz & Tilley with an attachment that shows you their projections of costs, the total amount as well as per unit basis. So, you can see their values that they've placed under the various exemptions requested. And so you would see even under A.1 and F.1, which is under the zoning and community plan amendment portion that you got testimony on. You will notice also they have a dollar value that they've placed there for the exemption. Okay. So you can review this and have questions at the appropriate time. We also had questions for Department of Fire and Public Safety, Water Supply and Department of Transportation. I would also note you did receive a communication August 20th, from Department of Transportation, signed by Director Medeiros regarding the bus stops within the proposed subdivision, internal/external road system, and their comments about service and routes. So, if you have a chance, please review that. We also have a proposed resolutions, again, approving and approving with modification. Let's see. Okay. You should have an exemption list distributed as of the August 1, 2018 meeting, Members; which is part of the resolution to approve the project with modifications. For the resolution approving with modifications, the most current version is by correspondence from the Corporation Counsel dated August 16, 2018 with addition of three new modifications. So, if you could please find and take a look at that. The first modification is to set commencement and completion dates for construction. Currently we are recommending projects shall begin within two years from the approval of the resolution and shall end construction four years from the approval of the resolution. Modification 2 is to require the construction of a bus stop; placement and design of which will be approved by Department of Transportation and this is the County's department. Modification 3 is to void approval of the project if the developer does not receive an approval for the sale of the 12.5 acres from the State Land Use Commission within six months after the approval of this resolution. So, it's a multi-step process, Members, with us and the State. And then again, since the last meeting, you should have an e-mail from the Planning Director dated August 2nd, whereby recommending addition of exemptions from Section 19, correspondence dated August 8th, from Peter Horovitz, regarding exemption D.2 be removed, and correspondence dated August 8th from Acting Director of Water Supply responding to questions regarding whether the property falls within a proposed wellhead protection overlay district. And currently the Department's response to this Committee is that the entire 25.263 acre showing a portion falls within proposed Zone B. Okay. Within proposed Zone B. And a larger portion within proposed Zone C. And therefore, we still need to see how this would fit within the 12-point acre parcel that is for this project we have. Your interim Chair is not sure about what that really means, how it fits. Okay. This afternoon, on behalf of the Waikapu Development Venture, we will have Mr. William Frampton, as the head spokesman and with Peter Horovitz as a resource person for the applicant. Any objections, Members?

COUNCILMEMBERS: No objections.

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VICE-CHAIR HOKAMA: Okay. Thank you for that. Therefore, we are, again, I'm going to allow the applicant since we have Mr. Frampton, if he has any opening comments you'd like to share with the Committee before I go back to the Housing Director for any additional comments before I allow the Committee to start its review of departments?

MR. FRAMPTON: Good afternoon, Chair Hokama. Just wanted to say thank you again for scheduling the hearing. We greatly respect and are tracking what's going on outside this building for the rest of the State and understand that and I appreciate your concern with the timeline. I did want to note, regarding the timeline, we respect the deadline, but we're here for the long run to work with you and the Committee with any kind of conditions come up or requires more time. I hope you know where we're coming from?

VICE-CHAIR HOKAMA: No, thank you for that.

MR. FRAMPTON: And one only other item would be is I handed or some sheets were handed out to each Councilmember today, four colored sheets, to try to help clarify some of the project information. I also have two large colored board drawings of the site plan if needed at any time we could put up front at your choosing. Other than that, look forward to continuing. Thank you.

VICE-CHAIR HOKAMA: Okay. No, we appreciate that, Mr. Frampton. And again, Members and those in the gallery, this Committee and the Chair is aware of the weather status, the weather situation. We will, of course, be conservative and make appropriate adjustments the remaining [*sic*] of this afternoon. Okay. It's not the intent of the Chair to run long until we finish. We are going to be responsible within the time that is fair for this application for today's purposes and will adjust accordingly for the safety of our Members, as well as, those attending these proceedings. Okay. So with that, Director Spence, any opening comments you wish to give the Committee at this point in time?

MR. SPENCE: Thank you, Mr. Chairman, Members. Thank you for being here today. I don't have anything to add yet from our previous comments. Just we're in support of this project. I think it's in a very good location. It shows a lot of creativity in the design and the use of land. I think we're going to see more product types like this in the future. Thank you.

VICE-CHAIR HOKAMA: Okay. Thank you, Director. Again, we would ask if you'd continue to join us in case there are specific concerns in your area. Okay. We're gonna bring up Water at this time and see if we can get...so, Ms. Taomoto, thank you for joining us this afternoon. Okay. Ms. Taomoto is, this afternoon, as its head engineer is representing Water Supply. And again, she is not the director, so, again...so, Members, I'll start with all of you first if you have specific questions you'd like to pose to Water Department as it regards to the application. Ms. Crivello, any questions at this time for Water?

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COUNCILMEMBER CRIVELLO: Not at this time.

VICE-CHAIR HOKAMA: Okay. Thank you. Mr. Atay?

COUNCILMEMBER ATAY: Yeah, Chair. Earlier you had mentioned focusing on Zone B and Zone C where this property would fall considering wellhead protection so I wanted a comment from the Department on I think the consideration would be I know no commercial activity, but, you know, like the people washing cars and maybe the question would be where would the drain, where would all the water drain to and is near...I don't know where the well is or whatever, would you, that be a concern, Ms. Taomoto?

VICE-CHAIR HOKAMA: Ms. Taomoto, can you respond to Mr. Atay, please?

MS. TAOMOTO: Thank you, Chair and Councilmember. The drainage system I'm not intimate with, but I assume there's and Director Spence here is trying to find the site plan. It's going to a drainage basin. When...on Waiale Road. When we talked about Zone B and C, that's in our proposed bill. And right now the status of that bill is we forward it to the Planning Commission for comments and recommendations. We have a well, as you know, I guess let me just kind of give you a overview of where the wells are. We have a well at Iao Tank site where when you go up West Main Street and it goes to Iao Valley, at that fork on the left you can see construction at our Iao Tank site. There's a well there. Between there and going across almost at the same elevation we have a couple of other wells, Wailuku Well 1 and Wailuku Well 2. And then the next well we have continuing towards Maalaea is our Waikapu Well. So those are the vicinity of the wells as it relates to the wellhead protection overlay Zones B and C. I talked to the Water Resources Planning Division Chief and we don't have significant concerns, if any, of this proposed development as it is being built out with, you know, a drainage system. And it is single-family use which, if you look at the proposed...let me just find the words. So, under the proposed wellhead protection ordinance, regulations for Zone B would require a permit which we discussed in our committee, Water Resources Committee, as being a best management plan for subdivisions that create four or more developable lots. Also, it would trigger because construction of three or more dwelling units on a single lot, parcel, or site. I'm not sure if that one triggers, but they do have duplexes. And under Zone C of the proposed ordinance, we have the same two permit triggers; subdivisions that create four or more developable lots and construction of three or more dwelling units on a single lot, parcel, or site. And again, when we, some of the Members weren't in...is not...was...is not in the Water Resources Committee, but basically what you have to do is if this were to take effect, they would just apply for a wellhead protection overlay permit and basically have to submit a BMP which I believe this project already intends to have in place. I would, you would need to ask the developer for confirmation. Thank you.

COUNCILMEMBER ATAY: Chair --

VICE-CHAIR HOKAMA: Proceed.

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COUNCILMEMBER ATAY: --I'm okay with this line because, you know, with her identifying where the wells are and it being way mauka or at a higher elevation, my concern was if there was any well at a lower elevation below this lot where any gravity flow would get there and affect the well, but, you know, I see that not being a problem or potential problem and, you know, thank you for answering that.

VICE-CHAIR HOKAMA: Yeah. Thank you for that. You know, I might do this a little different than Mr. Carroll since I would prefer, yeah, if possible, Members, we allow the developer or the rep to give comment when we talking about the specific thing than wait and then try and kind of catch up. I think we might lose some continuity and timing. So, Mr. Frampton, you've heard what we're discussing now? Is there anything you'd like to give comment on as it regards to some of the concerns or comments you've heard as it regards to, again this is a proposed wellhead protection bill, but any, its potential impacts to your project?

MR. FRAMPTON: Right. The discussion we just heard, it all sounds good and appropriate. I think protection of the resources is critical and important and we wouldn't be seeking some kind of exemption to not want to protect the resource. I do...we will have a full-blown drainage system. The drainage system is actually going beyond what's required. We're gonna have an increase in size that's roughly 28,000 cubic feet of storage is needed. Our drainage basin right now is roughly 33,000. So, we're trying to go above and beyond 'cause we do believe storm water runoff is something that's critical for this area, especially providing families in that area. So, no problem so far in the discussion. Thank you.

VICE-CHAIR HOKAMA: Okay. Thank you for that. So, just make yourself available please, Bill.

MR. FRAMPTON: Absolutely.

VICE-CHAIR HOKAMA: Thank you. Ms. Sugimura?

COUNCILMEMBER SUGIMURA: So, if the, one of the modifications listed or --

VICE-CHAIR HOKAMA: Yes.

COUNCILMEMBER SUGIMURA: --is on I guess it's Page 4 or 5. So it's under H, basically exemptions pursuant to Maui County Code regarding projects comprised of 100 percent residential workforce housing units and on the last page as it relates to water is Section 14.12.030, Maui County Code, as it pertains to water availability. So, can you comment on that?

VICE-CHAIR HOKAMA: Okay. Thank you for that. Ms. Taomoto, any comments? Mr. Ueoka?

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MR. UEOKA: Thank you, Chair. That's a exemption that's already built into Section 14.12A for 100 percent residential workforce housing. So, it's regardless of the this process, it's eligible because it's 100 percent residential workforce housing.

COUNCILMEMBER SUGIMURA: Okay. So, all of that whole section is...

MR. UEOKA: Yeah.

COUNCILMEMBER SUGIMURA: Okay. Very good. Thank you.

VICE-CHAIR HOKAMA: Okay. Any other questions you'd like to pose at this time?

COUNCILMEMBER SUGIMURA: No.

VICE-CHAIR HOKAMA: Okay. Thank you. Yes, Ms. Taomoto?

MS. TAOMOTO: Chair, can I...

VICE-CHAIR HOKAMA: Yeah, please.

MS. TAOMOTO: I just took a quick look at the details of the best management practices and I wanted to note so the developer, if have to, can respond. In here, for best management practices for Zones B and C, it states the following standards shall apply - subdivisions that create four or more developable lots in unsewered areas that serve more than one residential unit per acre shall install aerobic units or alternate treatment units achieving equal or higher level wastewater treatment than aerobic treatment systems. I'm only stating that because I'm not sure if they have a sewer system. Thank you.

VICE-CHAIR HOKAMA: Okay. Thank you for that. So, what kind of system would you folks have, Mr. Frampton?

MR. FRAMPTON: The intention is to hook up to County.

VICE-CHAIR HOKAMA: The County system?

MR. FRAMPTON: Yeah.

VICE-CHAIR HOKAMA: Okay. Thank you for that. Mr. White, question, sir?

COUNCILMEMBER WHITE: No questions.

VICE-CHAIR HOKAMA: Thank you. Ms. King?

COUNCILMEMBER KING: Thank you, Chair. Thanks for being here, Mr. Frampton. So, I'm looking at this map. Your subject property area is 12 point...

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VICE-CHAIR HOKAMA: Well, Ms. King, first yeah, any specific questions for Water Department?

COUNCILMEMBER KING: Yeah, this is about --

VICE-CHAIR HOKAMA: Okay.

COUNCILMEMBER KING: --the water. So, just looking at this and it says the subject property area is 12.5 acres and then the letter about wellhead protection overlay talks about the entire 25-acre property so do we have like an overlay on, that shows if this is in the B and C zones? Or do we know if this 12.5 acres it's specified for the development?

VICE-CHAIR HOKAMA: Ms. Taomoto?

MS. TAOMOTO: Thank you, Chair. The transmittal communication to...from Water Department dated August 8th...hopefully you have it, had an attachment on Page 3 of the proposed overlay map.

COUNCILMEMBER KING: Oh, okay.

MS. TAOMOTO: In that, it shows, delineates Zone B and C.

COUNCILMEMBER KING: Okay. What...is that the one that says map five?

MS. TAOMOTO: Yes.

COUNCILMEMBER KING: Okay. Where's the outline of the development? This, you know, the, on this map?

MS. TAOMOTO: So, the outline of the development is where that that circle...

COUNCILMEMBER KING: Is it just that little triangle that's in red that crosses over to that?

MS. TAOMOTO: Yeah. Yeah. Sorry, that little triangle in red is, clips the corner of the parcel and the area to the left of it that is white is the remaining area of the parcel.

COUNCILMEMBER KING: Okay. That's Zone B. So, it's just that little --

MS. TAOMOTO: Yeah.

COUNCILMEMBER KING: --the little tip of it is in Zone B?

MS. TAOMOTO: Yes, that little red tip--

COUNCILMEMBER KING: Okay.

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MS. TAOMOTO: --is Zone B and the rest is Zone C.

COUNCILMEMBER KING: Okay. So, that's the, that would be the main part that needs to be have a best management practice? Okay. And then, Mr. Frampton, I just wanted to ask you about are you guys still looking at the wastewater treatment facility? The biological model for this project?

MR. FRAMPTON: Not for this project. The wastewater treatment facility we're intending to hook up to County sewer system.

COUNCILMEMBER KING: Okay. Alright. Okay. Thank you. No further questions. Thanks.

VICE-CHAIR HOKAMA: Okay. Thank you, Ms. King. Ms. Crivello, any questions as it regards to...

COUNCILMEMBER CRIVELLO: Not at the moment.

VICE-CHAIR HOKAMA: Okay. Mr. Atay, anything else for Water?

COUNCILMEMBER ATAY: No. No questions.

VICE-CHAIR HOKAMA: Thank you. Ms. Sugimura? Mr. White? Anything else for Water, Ms. King? Okay. Thank you very much, Ms. Taomoto. Again, Members, the reason why I've allowed the discussion on the wellhead protection is that the current proposed bill, if enacted by Council, would require subdivisions that create four or more lots to have the permit. Okay. So, potentially it may impact this project with the requirement of that permit. Okay. Let's see, we had discussion with Public Works last meeting and so regarding Public Works since we have Mr. Frampton here, give us your reasoning, the Members have your break out. So, you have exemptions F.1 through F.8. So, who is going to represent Public Works today? Mr. Goode, come on down please. Okay. So, why don't before Mr. Goode gives us any comment, Mr. Frampton, can you give us your comments regarding the reasoning for exemptions F.1 through F.8?

MR. FRAMPTON: I could if I would, if it would be allowable, I have my civil engineer, Mr. Stacy Otomo and George Rixey, our architect here who were instrumental in helping us assemble this list and especially as it relates to the impact on the design and the rationale and reasoning as to why we would want each one. If it's okay with you, I'd like to have them assist?

VICE-CHAIR HOKAMA: Yeah. No, that would be fine.

MR. FRAMPTON: Thank you.

VICE-CHAIR HOKAMA: That would be fine. They're your professional licensed people. So, we're --

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MR. FRAMPTON: Thank you.

VICE-CHAIR HOKAMA: --happy to hear from them. Okay. So we have Mr. Rixey, Mr. Otomo representing the applicant, Members. One is the engineer. One is the architect.

MR. FRAMPTON: So, I can address the first one is exemption number 1, F.1. An exemption from 18.04.030 as it relates to compliance with Change in Zoning and community plan. The reason we're seeking that is the underlying designation, the current designation of this property; very similar to what occurred next door previously with the Valley Isle Fellowship affordable housing. We followed sort of the same model in that if we can have that exemption, it would not require having to go through a lengthy Change in Zoning as well as community plan amendment process. That's the purpose of it. However, not to...it also allows for us to have flexibility in our design in increasing our density and the use of the land. The second item relates to minimum rights-of-way and pavement widths and I request Mr. Rixey to expand upon that.

VICE-CHAIR HOKAMA: Thank you. Mr. Rixey? Thanks for being here.

MR. RIXEY: Aloha, Chair, Committee Members. I don't have my glasses with me right now.

MR. FRAMPTON: Internal subdivision roadways.

MR. RIXEY: Okay. We're talking about...okay. So, this question and some of these other exemptions that we're requesting about roadways, it really pertains to the entire project in the concept of the walkability and the more pedestrian-oriented nature of it and also for traffic calming. But, to be specific, if we're talking about road C and D and B, the idea behind those is those roads really work more in the nature of alleyways. And so we're trying to narrow them down as much as we can because they don't serve like the full main road like road A does where it fronts the properties. If you look at road A in some of the displays, road B, C, and D, they only have garages that front onto them. The fronts of the homes face in the opposite direction. They either face onto the central green park or the park that's on Waiale Road or they face on road A. So, that's the main nature between trying to narrow those down. And also we worked with Fire to make sure that we didn't narrow them down beyond the requirements of the Fire Department; 20 feet was the minimum. And that was to be sure to exclude any parking. So, being that they're alleyways and that all the parking is provided on the property, not on the road, then there would be no parking on those roads, strictly no parking on those roads.

MR. FRAMPTON: F.3 relates to Section 18.16.070A which relates to intersection angles and shall be granted to allow the right-of-way lines at intersections to have a minimum corner radii of 15 feet.

MR. RIXEY: Okay. So, that also pertains to the traffic calming. So, again, those radii that we're talking about they're between road C and D...C, D, and B; where C and D come in and they culminate with B, those are the radius that are 15 feet. And the idea for

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that is traffic calming. And then I think another one of these, I don't know which one, the next one is driveways?

MR. FRAMPTON: Let's see...

MR. RIXEY: Is that coming up next?

MR. FRAMPTON: It's coming up. The very next, if we follow sequential order, the next one's lot size and shape. And we're asking to be, to allow lot sizes and widths and shapes in orientation and minimum building setback lines within the project that are...they're not consistent with the Public/Quasi-Public District zoning. And so by that exemption allows us the flexibility to design the site plan that George laid out.

MR. RIXEY: Okay. So, the lot layouts wouldn't be consistent with Public/Quasi-Public, but they are consistent with Residential zoning regulations for size and shape.

MR. FRAMPTON: Let's see, number 5, I believe, minimum sizes. That exemption Section 18.16.230 relates to lots' minimum sizes shall be granted to allow lot sizes within the project that are not consistent again or conformance with Public/Quasi-Public. And again, the lot sizes are smaller here to, they do match up with some residential ideas, but not Public/Quasi-Public lots. Number 6 would be the urban standards for curbs and gutters. So, we're seeking an exemption from Section 18.20.040 and 18.20.8...080 as they relate to the urban standards for curbs and gutters shall be granted for the portions of the projects adjacent to Waiale Road. If you refer to Exhibit "1" in the attached typical section which shows for Waiale Road, what we were asking for on that exemption simply is to allow, we want to provide a sidewalk with a grass strip and we'll put some trees as well. It'll match up consistently with what was found at Valley Isle Fellowship affordable housing project, the last one. So, what we're...the specific exemption would...we would not need to put in a curbing gutter along the side of the road and instead, I think, it would have more of a rural setting, residential. It will look nice, but it will match up with what's close by. Number 7, Section 18...an exemption from Section 18.20.070, sidewalks, shall be granted to allow the following exemptions as it relates to the construction of sidewalks along the internal roadways A, B, C, and D. Please refer to Exhibits "2" and "3" which shows the typical sections for those roadways. And what we would I'd like to note just on that was when we first started off the project, the original design only had sidewalks on one side of the street throughout the whole project which was consistent with the other projects that we had seen in that area. But after having meetings with Rowena at Public Works and Nolly, as well as Planning Department, we came back, worked with our investors, and who we're representing and did some cost analysis and came up with a plan in which we believe we could afford to do sidewalks on both sides of road A and that's what we were pleased to come up with and we're able to do so. And we will...every house, if you look at that site plan which is the conceptual landscape plan, the green one, you'll see that every single house has direct access to a sidewalk throughout this whole neighborhood and the way that our architect George worked with Stacy on the layout was we were very happy with it in that a key design principle for the final shaping of this plan was incorporating multiple attractive

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alternatives for pedestrians and bicyclists. It was not to just simply design for the automobile; we accommodated the automobile, but we also wanted to include pedestrians and bicyclists 'cause we believe we can and to make sure that they can safely access the neighborhood without having to get onto the busier roadways. And so we also incorporated a green way plan related to that, but that's what number 7, F.7, has to do with asking for exemptions for roadway A instead of five-foot sidewalks, we would do four-foot wide sidewalks, but we would make sure they're consistent with the ADA requirements. Roadway B, five-foot sidewalks would be provided on one side of the street and roadway C and D, we would be exempt from providing sidewalks on those two short stretches, but they also, those two roadways do have direct access to the internal pedestrian paths so there is ability for folks to safely move around the neighborhood. And number 8 is the guidelines for the acceptance. The design...number 8 which is an exemption from Chapter 18.40, guidelines for acceptance, shall be granted to allow the County to accept the subdivision roadways and utilities located within the subdivision roadways based on the exemptions granted herein including, but not limited to, Exemption C.1 relating to the standards and specifications for driveways. The idea there was we worked with after we had our initial meeting with all of the directors, we had, we went and had several more meetings with Public Works to come up with a design that they felt comfortable with that we want them to accept the roadways, as far as dedication. We'd like to not have to have them kept for the future homeowners and have to have roadway reserve funds and whatnot trying to keep this affordable. But when we started working with the roadways and coming in with more narrow design standards, there was valid concerns that they had about making sure it was still safe and so that's how we came up in the end the plan that is presented now is based on multiple meetings with Rowena and Nolly folks to make sure that these roads could be, in their perception, could be adequate for dedication to the County. That's number 8.

VICE-CHAIR HOKAMA: Okay. Thank you very much for your comments on that. We'll ask Director Goode if he has any comments on the exemptions F.1 through F.8 as he also heard the representatives give their comments.

MR. GOODE: Good afternoon, Chair. David Goode here, Department of Public Works and Ms. Dagdag-Andaya is dealing with some Hurricane Lane-related issues. So, she did fill me in a little bit on the project so I apologize, Chair and Members, that I'm not super intimate with the project and I haven't been participating in some of the meetings. But Rowena and I did speak earlier today about the exemptions and we're in general concurrence with the proposed exemptions in F...I think this is what, is that letter F, one through nine. The only issue I think we still may have is whether or not we should be accepting roadways C and D because they're pretty narrow and our staff has some concerns related to that. It is possible that we could...I'd like to still work with the applicants on that. I'm sure if, you know, the Committee's desiring to pass this out today. I don't think that would...I think it's something we can still work on outside of these exemptions because the way it's written here, we have the guidelines for acceptance and so that's pretty much it. Other than that, we want to thank them for working with us on the sidewalks in particular and the other design features to

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really, you know, make sure that pedestrians are accommodated to the degree possible.

VICE-CHAIR HOKAMA: Okay. Members, questions for either Mr. Frampton or Mr. Goode regarding these exemptions we just reviewed? Ms. Crivello?

COUNCILMEMBER CRIVELLO: Thank you, Chair. Mr. Goode, so I would like to have clarification on your statement on probably working out on roadways C and D. Are you saying then that you're not accepting it or if we pass this through then you will continue to work with the developer?

VICE-CHAIR HOKAMA: Director?

COUNCILMEMBER CRIVELLO: I need something more definitive from you.

MR. GOODE: Okay. I'll try to see if I can make this as simple as possible. So, normally in a subdivision that has, meets County standards, the Department would accept the roadways. You know, the deeds are clean and everything's built to standards. We accept it and then we send you folks a letter basically saying hey, by the way we accepted this and then we include it in an annual report. So, it's not a Council action, it's a Department action. And the same would be the case here. So, we could accept roadways A and B, A, B, C, D. I think that would be a Department call. If it's something that the Members feel like you want to have us try to resolve, I think we may need a little more dialogue with the applicant. But, the way I view it is we have that flexibility in the way the Code's written. If that helps.

VICE-CHAIR HOKAMA: Ms. Crivello?

COUNCILMEMBER CRIVELLO: Yeah. Okay. Okay, for now. Thank you, Chair.

VICE-CHAIR HOKAMA: Okay. Yeah. Ms. King, any questions at this time?

COUNCILMEMBER KING: No, not at this time. I appreciate it.

VICE-CHAIR HOKAMA: Okay. Thank you. We welcome Mr. Guzman. We are on exemptions, Mr. Guzman, under F, one through eight, which is basically exemptions from Public Works subdivision requirements. Any questions you may have at this time?

COUNCILMEMBER GUZMAN: No questions. Thank you, Chair. I've been following on the monitor.

VICE-CHAIR HOKAMA: Thank you. Mr. White? Thank you. Ms. Sugimura?

COUNCILMEMBER SUGIMURA: No questions.

VICE-CHAIR HOKAMA: Thank you. Mr. Atay?

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COUNCILMEMBER ATAY: Thank you, Chair. Yeah, in regards to Exemption F.7, the roadways, and in regards to what Director brought up, roadway C and D, my concern would be it is somewhat narrow and I think the connection for me would be more comment from Fire Department, you know, making sure...my main thing is the safety of the residents of our fire trucks and apparatus can get through that lane. And I looking at that map, it looks somewhat narrow. I don't know if the, you know, need comment from Fire, but that would be my concern in the connection of roadway C and D.

VICE-CHAIR HOKAMA: Fire will be coming up --

COUNCILMEMBER ATAY: Yeah.

VICE-CHAIR HOKAMA: --after we get through with Public Works, Mr. Atay.

COUNCILMEMBER ATAY: Yeah. And so in regards back to Public Works, I'm just trying to be clear then the exemption in F.7...I was trying to follow the spreadsheet, comes up to something like just for the roadways A, B, C, and D, total of 67,800 and then exemption 6, the standards, urban standards for curbs and gutters comes out on the exemption total of 22,800 and then in Exemption 2, in the right-of-ways and pavements, that's 41,600. So, just in Section F in exemptions, this subdivision's request is totaling \$222,200 in exemptions. That's the total that you got?

MR. FRAMPTON: Yeah, that's the, those relate to the cost statements from a construction cost.

COUNCILMEMBER ATAY: Yeah.

MR. FRAMPTON: Not like fees or whatnot. Yes.

COUNCILMEMBER ATAY: Okay. Thank you. Thank you, Chair.

VICE-CHAIR HOKAMA: Thank you. Any questions or follow-up you need from Director Goode on these exemptions, Members? Okay. I appreciate us going through, but one of the things that Public Works also I appreciate his presence, the Director, is because last meeting I remember there was discussion regarding placement of required subdivision landscape or trees. So, Director, you have any follow-up comments? I know I believe Chairman Carroll's submitting correspondence on Monday or something? Did we send a correspondence regarding the trees? Did we receive any communications to our query, Staff?

MR. GOODE: Chair?

VICE-CHAIR HOKAMA: Mr. Goode?

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MR. GOODE: We did send a response. It may have been in the last day or two so I'm not sure if it's been fully transmitted.

VICE-CHAIR HOKAMA: Okay.

MR. GOODE: But the response basically said and this was from a review by our arborist who is, as you know, new but is now slowly taking on the responsibility of reviewing new subdivisions and he concurred that, you know, given the smaller lots and even things like the alleyways that trying to squeeze one tree per lot could be problematic; you know, given driveway widths. If you have underground utility boxes sometimes it doesn't leave any room. So, his...our response basically said that there will be opportunities within the frontage of the homes and maximize those as much as possible and look for a smaller trees in those areas, but then complement it in the public areas with larger trees so that the total trees are met. So, that's our response. We will work with you on that, but essentially what the exemption does is means you don't have to go to the Arborist Committee for things that maybe aren't standard to the plan. We'll handle it within the Department. So, that's where we're at, Chair.

VICE-CHAIR HOKAMA: Okay. Members, any questions for Director Goode regarding the landscaping trees component?

COUNCILMEMBER ATAY: Chair?

VICE-CHAIR HOKAMA: Mr. Atay?

COUNCILMEMBER ATAY: I don't know if it's landscaping, but before my line of thought maybe a comment from Director is my main concern would be getting your comment on Waiale Road. You know, the fronting, you know, where their subdivision ends up and comes in front of Waiale Road and looking at the line-up of all of these other projects that we have coming from Kuikahi down by Longs going all the way out towards Waikapu on Waiko Road, looking at all the different projects we got, would their proposed or recommended things that they want to get done, fronting Waiale Road, would that be in line and okay for what the bigger vision of what Waiale Road is going to be turned into with no access of any of these developments having access to the mauka road of Honoapiilani Highway? All access will have to come onto Waiale Road, is that proposal okay for what's expecting in the future or is that just we're gonna just make it a bigger road, a bigger collector road or...?

VICE-CHAIR HOKAMA: Director?

MR. GOODE: Thank you, Chair and Mr. Atay. Thanks for asking that question because, you know, the issue of sidewalks and no sidewalks on Waiale has been a tough one for our Department. Over the years we've been adamant that we don't want the exemptions for these improvements; and so I think Waikapu Gardens II, Waikapu Gardens the first one, but, you know, that horse has kind of left the barn for us. So, the last couple of applications though have included a sidewalk, right, which we haven't had before. We don't have the curb and gutter; which in some ways is okay because it

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gives us the flexibility as we progress and how we're gonna deal with Waiale Road. To us, the hard part of Waiale Road is from the bridge, you know, getting to Kehalani; that's gonna be tough over there. Here we have 80 feet of right-of-way so we have a lot of flexibility. So, I think one important part of the design will be that the design of the sidewalk and its height should be at a place that we don't have to tear it up later. So, and I see Mr. Otomo's listening. So, that, you know, if we have to do curb and gutter later, it's at the right elevation, right; so it don't have to be too high or too low. So, I would say the Department we've wanted more over the years, but we've got accustomed to getting less and now we're getting a little bit of it back in these last two applications so we can work with it. Thanks.

COUNCILMEMBER ATAY: Thank you. As long as you're okay I'm...

MR. GOODE: Thanks for asking.

COUNCILMEMBER ATAY: Yeah.

COUNCILMEMBER KING: Chair?

VICE-CHAIR HOKAMA: Yes, Ms. King?

COUNCILMEMBER KING: Thank you. I just had an additional question. I just wanted to get your thoughts on where you're at with types of trees that are going into this development? You were talking about short or smaller ones that are going in, but the frontage, are we getting smarter about what kind of trees we put on these roads? Because we just had that big issue last year with Piilani Villages and having to dig up those trees because they were pushing up the sidewalk and, you know, potentially threatening foundations of homes. So, you know, I'm assuming that we're getting a little bit, you know, more detailed when we look at what trees we're putting in, thinking long term? Can you just speak to that?

VICE-CHAIR HOKAMA: Director?

MR. GOODE: Chair and Ms. King, so, you know, having our arborist who's now we went through whole process with you folks to have it the street trees, you know, be within the Department. So, now we're gonna be reviewing them when they're first proposed and then maintaining them later. Before that was like three different departments doing that.

COUNCILMEMBER KING: Okay.

MR. GOODE: So, we're gonna have better control going forward. You know, that said, you know, trees provide oxygen, they're shade, you know, aesthetics, but they all provide...it's a lot of work. Right? They will eventually tear up sidewalks and roadways as their roots look for water. It is, it's part of what we have to deal with. So, to the degree we can manage that better upfront I think we'll be more successful in the long term. But, it will never, you know, eliminate us from having to do work. It's a

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tradeoff with trees for sure. But, you know, I agree with the policy. I think it's a good tradeoff. We need them.

COUNCILMEMBER KING: Okay. Well, it's just, you know, the issue with in South Maui was that we just had we just taken them all out so now they're gone. So, you know, and hopefully we get we start looking at the types of trees and longevity that they're not just gonna have to all come out at some point.

MR. GOODE: Yeah, if they're...the ones in Kihei were not in the County right-of-way so the ones in the County right-of-way, you know, when we do lose them the intent is to repopulate.

COUNCILMEMBER KING: Okay. Thank you.

VICE-CHAIR HOKAMA: Director, the greenway, your Department has some responsibility with the greenway that's going through the project or that is mostly with Parks? This greenway that runs along Waiale and enters into the next project area?

MR. GOODE: Yeah, Chair, I think that's currently privately maintained. Isn't that over a waterline?

MR. FRAMPTON: Chair, that goes over, that follows over the County's sewer easement, sewer line.

MR. GOODE: Sewer easement.

MR. FRAMPTON: Sewer line. And the idea was it starts back down by the Waikapu Gardens and it's actually a pretty neat feature of the area and our goal was the previous project that you referenced earlier at Valley Isle Fellowship property into this property and hopefully all the way down to the road, to the next road over, Kuikahi, would be we could potentially have a greenway that runs that entire stretch. And so our idea was just along this area, the sewer line does come through our property, we thought we'd pick up and continue the same concept if that's feasible to the County. And then, ideally it's picked up and continued on and you could have all of these new homes that are coming in to this area, those families could all have ability to access a greenway, going to McDonalds or Longs or wherever and not have to get onto Waiale Road; that we're hoping to shoot for.

VICE-CHAIR HOKAMA: Okay. So, this is, again, private greenway?

MR. FRAMPTON: Yeah. We would --

VICE-CHAIR HOKAMA: Currently.

MR. FRAMPTON: --be the ones that would install and put it in. It's our kuleana to do so. And, Chair, I would just note the previous comments from Member King. I appreciate the questions about the trees, including the fact that you have an arborist now is

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great. We met with, when we met with Rowena we also met with the Highways Division and they had some great comments and concerns, but not just say get rid of trees, but just concerns related to roots and taking up the roadway and the sidewalks. So, things such as root barriers and making sure we select the appropriate tree for the area, including ideally native trees that are good for this area, we'll have our landscape architect certainly work with the arborist and your division, Mr. Goode. And whatever you guys want to come up with will be good.

COUNCILMEMBER KING: Thank you so much, Mr. Frampton.

VICE-CHAIR HOKAMA: Okay. Thank you for those comments, Mr. Frampton. So, this is a easement or right-of-way?

MR. FRAMPTON: Currently, right now that's the line that when you look in the green-colored map, it's titled the Conceptual Landscape Plan.

VICE-CHAIR HOKAMA: Right.

MR. FRAMPTON: We...that green, that line picks up from our property boundary to an existing sewer easement; so the sewer line is there right now currently.

VICE-CHAIR HOKAMA: Okay.

MR. FRAMPTON: And so we...the concept was to the south of this property it runs through the former Valley Isle Fellowship property, same thing. And it starts way back over by Waikapu Gardens. But so it's right now currently County sewer line, but we would gladly, we figured it would be our kuleana to build it.

VICE-CHAIR HOKAMA: There is an existing easement, but there is no existing sewer line?

MR. FRAMPTON: There is.

VICE-CHAIR HOKAMA: There is a line?

MR. FRAMPTON: Existing easement and which follows the existing sewer line which is actually it's recorded on title as well. It's not just out there, it's locked in.

VICE-CHAIR HOKAMA: Yeah. No, we've had discussion in the Committee so I was looking at whether or not a right-of-way would be preferred than an easement, but since the easement already exists it's hard to talk about a right-of-way. Okay. So, third lots, 32, 33 then are just two unusual lots because of that greenway going through a portion of their area?

MR. FRAMPTON: Yes. What was done there is you...the existing sewer line as it sits in the easement was one of the existing features that's there that helps decide what to do with the plan. So, there were multiple alternative plans for the property way back when we first started. But, eventually, the idea is that that sewer line easement it'll

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become like a separate lot on its own. And I imagine the flexibility to pursue even the ideas you were just talking about we're open to. But, we want to make sure that it's something that functions. We adjusted it based on discussions with the Planning Department. They had some good ideas about, anyways, how to make sure it's a good greenway and I'm a big fan of greenways and bikeways.

VICE-CHAIR HOKAMA: Where is your major drainage catchment for this project, please? Is it more --

MR. FRAMPTON: The...

VICE-CHAIR HOKAMA: --under the greenway at Waiale Road? Is that...

MR. FRAMPTON: Correct. The bulk of it, the bulk of the large basin is the drainage basin. It's identified on that plan. It serves as a almost a separation, a setback from the vehicles and the cars along that road. It's actually a nice feature if done right; if it's a good sculptured basin that can serve to capture the storm water runoff. We'll also have abilities to do storm water runoff in the large neighborhood park area and there are a few other areas within the subdivision that are just green areas. They're not quite residential lots, but we've left them aside trying to tie in to the idea of more green capture instead of the curbs/gutters/sidewalk capturing the water and allowing it to slowly infiltrate into the ground.

VICE-CHAIR HOKAMA: Okay. So, this is to capture all sheet flow within this proposed subdivision, right?

MR. FRAMPTON: Yes. Post-runoff development and it's actually, as I mentioned earlier, it's an oversized basin by maybe 15, 20 percent larger than what's required, but just 'cause we think, you know, we can do so, we have the ability to do so here and we can do it.

VICE-CHAIR HOKAMA: Because of your topography, is there any area of the subdivision proposal that may be greater prone to potential flooding than another lot, another site on the subdivision?

MR. FRAMPTON: From what we have worked with thus far, including the topographic survey that was used by Mr. Rixey to do the original layout, we are actually blessed with a nice, gentle topography that goes down that will afford most of the homes will have decent view sheds if we and as far as their floodage goes, the lowest part of the property is where we're capturing that storm water. But instead of diverting it offsite and putting it onto the roadway and shipping it further down, deal with the runoff right there on the site is the best way to deal with it.

VICE-CHAIR HOKAMA: Again, yeah, we're just trying to make sure that in our review and approval we try and also try mitigate potential issues that we get from other projects.

MR. FRAMPTON: Yeah, sure. Do you want...

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VICE-CHAIR HOKAMA: So, again, you know, we've learned that if you're makai of a lot of other properties, your ability to get debris and flooding and other issues is a lot greater 'cause you definitely at the bottom of the slope.

MR. FRAMPTON: Oh, we're located on the makai side of the Honoapiilani Highway. I see what you're saying.

VICE-CHAIR HOKAMA: Right. But, you still makai of other...mauka of properties right?

MR. FRAMPTON: Yeah. So, mauka of Honoapiilani Highway is a lot of build-out; we're on the makai side, right. You want to address any of that?

VICE-CHAIR HOKAMA: Okay. And so, again, just as a curiosity, you have your engineer, Mr. Otomo. So, your drainage is geared for what type of flow? Three inches an hour? And I just bring that up because that is what we're hearing now from National Weather Service, yeah? With the category difference and the type of rains per hour, they're looking at three inches per hour as something we can handle. But once you hit four, again, yeah, it's capacity of the drainage system and it's a mathematical engineering issue now of capacity, right? So, what are you required for this subdivision regarding drainage? Three inches an hour?

MR. OTOMO: Stacy Otomo, Chair Hokama. The County standards call for a 50-year 1-hour storm and I believe it's two-and-a-half inches per hour in this area.

VICE-CHAIR HOKAMA: Okay. And so if you let's say we get that freak storm and we get five inches an hour, we definitely gonna have overflow and runoff, right?

MR. OTOMO: That's correct.

VICE-CHAIR HOKAMA: 'Cause the system is not geared to handle that --

MR. OTOMO: Yes.

VICE-CHAIR HOKAMA: --amount of water. Okay. Okay. So, again, you build for that 50-year, which is the two-and-a-half inch an hour, Mr. Otomo? Is that the, how you currently engineer your, the drainage?

MR. OTOMO: Yes. For something like this too, we have two design criteria. One is the drainage standards and the other one is water quality.

VICE-CHAIR HOKAMA: Right.

MR. OTOMO: So, in total, you know, we actually providing for more than the 50-year 1-hour storm. But, that's the design criteria we use.

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VICE-CHAIR HOKAMA: Okay. Thank you for that. Members, questions on drainage or other areas within the Public Works parameters? Ask your questions either to our professionals and Mr. Frampton or to the Director. Ms. Crivello, questions? Mr. Atay?

COUNCILMEMBER ATAY: I'm good.

VICE-CHAIR HOKAMA: Ms. Sugimura?

COUNCILMEMBER SUGIMURA: No questions.

VICE-CHAIR HOKAMA: Mr. White? Mr. Guzman? Ms. King? Thank you, gentlemen. We appreciate it. Let's...anything for Mr. Goode? If not, I know Mr. Goode rather be downstairs. I'm kidding. But, thank you, Director, for your presence. We appreciate your assistance to the Committee. Okay. Let's see, next we have, you know, I'll bring some of the other things up later. Since we got Fire, let's bring Fire. So, I know we have Captain Haake and Chief Montalvo assisting the Committee this afternoon. So, gentlemen, thank you again for being here. We know, of course, your responsibility to first response in events such as this potential Category 4 storm. So, thank you very much for your Department's preparedness and we appreciate your presence. Okay. I have some questions, but I know other Members had questions for Fire. So, I believe, Mr. Atay, you had a question about Fire and the size of subdivision road C and D? I believe.

COUNCILMEMBER ATAY: Yes. Yeah. If Department could comment on that?

VICE-CHAIR HOKAMA: Okay. Captain Haake, the concern about the ability of your Department and its equipment to respond within the subdivision hearing the size of the proposed roadway C and D of the project, please? Which is the substandard roads. Road widths, I should say.

MR. HAAKE: Thank you, Chair. The current width of the roads is 20 feet, right?

VICE-CHAIR HOKAMA: Mr. Frampton?

MR. FRAMPTON: For roadway C and D, those are the only two roads that are down to 20 feet and those roads are approximately 250 feet in length. And I just would note that when we met with Fire Department it was with Oliver. I don't recall his last name. He helped us in shaping, but his key...I remember him talking about 20 feet was critical that we allow for 20 feet of clearance for the HAZMAT truck.

MR. HAAKE: Yeah. Thank you. Thank you, sir. And, Chair, yes, the minimum road width is 20 feet clear width. So, if road C and D are 20 feet in width that should suffice. However, that means that there's no parking on those roads, yeah. We have existing neighborhoods now that have issues with roads now with parking on the street. And so if they're able to enforce the no parking then there should be no issue with the widths of the road.

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VICE-CHAIR HOKAMA: Okay. Thank you for that, Captain. Mr. Atay?

COUNCILMEMBER ATAY: So, I don't know if this is a question answered by Corp. Counsel, but what if they don't, they're unable to enforce it and you guys cannot respond to a fire call by going down those roads? I don't know, Corp. Counsel, what's the, you know, does it affect the, I don't know, is it the developer or the owner of the road or is it the County's inability to get through?

VICE-CHAIR HOKAMA: Mr. Ueoka, would you like to take an attempt in responding to that?

MR. UEOKA: I'm gonna stay very high-level on this, but it will be extremely fact-dependent and they never want to have do these, but there's ways you can move a vehicle that's in the way or the road width is 20 feet, but there might be a little bit they can run other things over on the side of the road, et cetera. It's a 250-foot long road, open on both sides. The hope would be that there's not cars parked all over the place, but liability would be extremely fact-dependent. But the County would argue that we did not place the vehicles there so we are not exposed on that, but, you know, it'll be a lawsuit. So, thank you.

COUNCILMEMBER ATAY: Okay. I'm just more, I ask this line of question more in the Department's ability to respond to address the safety of the residents of that neighborhood. If we can avoid that and get some kind of plan of assurance of definitely always have 20-foot-wide roads for these trucks to get through.

MR. FRAMPTON: Right. If I could add that...

VICE-CHAIR HOKAMA: Mr. Frampton.

MR. FRAMPTON: Thank you, Chair. That this was a, this discussion alone specifically on roadway C and D, especially with Fire Department, it was raised to us at the meeting when we met up at the Mayor's Lounge with all the directors, they were very clear in identifying we like everything we see so far, but we've concerns; the roadway C and D. So, that is why we went and had the continuing, the more detailed meeting with just them and what we, I wanted to note was that in addition to the pavement width of 20 feet, there's two foot of gutter on each side, rolled curb which we think provides a little bit of extra space. But then the way we designed the central green, the large green neighborhood in the middle, we also discussed that we think that could be a very...if by some reason someone was parked there, we intend to have enforcement similar to like what's done in Waikapu Gardens. But when we sat down with Fire Department, by the end, we even offered up to pave the end of roadway B. We would put an additional fire route the very makai side. They felt or the gentleman we met with at the time that in the end as long as we had the 20 feet plus 2 extra feet in each side, so 24 feet of pavement, the roadway itself the edge of pavement is 20 so that when you have the two rolled curbs, two feet on each side, plus the large green in the middle they seemed to think it was okay. But again, the last thing we want to do is ask you to do something that's gonna put the public health and safety at risk just so that we can have a narrow road of some sort, that's the last thing we want to do. But the

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intent was the more narrow the road was that to slow the cars down as well. So the balancing act there is we need to make sure it's wide enough for Fire absolutely and we have safe access for fast strike and fast response time, but we also wanted to slow those cars down in that area for the people living there, too. And so it was a balance that we tried to come up with and they seemed to, at the time, work with that. But again, we're here to whatever they would need, we'll make it happen.

COUNCILMEMBER ATAY: I think, Chair, the last meeting I had my request was to have Fire present was more to address the lots that were mauka; lots 11 through 22 because there's no access from Honoapiilani Highway. But I do recognize your Department's communication on August 14 and you guys seems to be okay with being able to get to those homes.

VICE-CHAIR HOKAMA: Captain?

MR. HAAKE: Thank you. Yes. All...when...excuse me. When we look at the project, we're looking at access as one of the requirements and water supply for fire protection. And with the design of their roads, all our fire apparatus access will come off the internal roads. We wouldn't necessarily come off of Honoapiilani unless we had to. But for the most part, the design of the roads, all the requirements are met from those internal roads.

COUNCILMEMBER ATAY: Okay. I'm okay, Chair.

VICE-CHAIR HOKAMA: Okay. Thank you. Ms. Sugimura?

COUNCILMEMBER SUGIMURA: I'm fine.

VICE-CHAIR HOKAMA: Mr. White? Mr. Guzman? Ms. King? Anything, Ms. Crivello? Okay. Thank you. So, you know, Mr. Frampton, looking at your handout, I'm looking at on Page 3, I guess.

MR. FRAMPTON: Okay.

VICE-CHAIR HOKAMA: Where you have the conceptual plan.

MR. FRAMPTON: Yes.

VICE-CHAIR HOKAMA: And you show us unit types, lot size dimensions, dwelling unit count. So, when we look at this page of your handout to the Committee, and would look at roadways B and C, those white rectangles in front of the lots that is the proposed carport parking for those lots?

MR. FRAMPTON: That is correct. The white square-shaped portions are the, those are if we had gone back and maybe recolored it, we would have included that possibly as a color, but we were trying to just call out that...yes, you're correct in your interpretation.

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VICE-CHAIR HOKAMA: Okay. 'Cause that would be for your, I guess, smaller dwelling units, right? Your bigger units seems to have a more what detached garage?

MR. FRAMPTON: Yeah.

VICE-CHAIR HOKAMA: Along roadway A?

MR. FRAMPTON: Along roadway A? Yes, for sure. In fact, and if George Rixey might be able to better answer. But the, all of the garage units are detached from the homes to, just for with one note that I wanted to make previously 'cause when you...at the last meeting it was mentioned by one of the testifiers, and rightfully so, that the concern of we were asking for setbacks exemptions to accommodate the garages. But one thing that was very important to George was keeping them a safe distance away from the homes. George might be able to expand upon that if you'd like. But that was the idea with the garages was that we'd have carports and/or garages and trying to keep them affordable, but trying to make it safe from a fire protection.

VICE-CHAIR HOKAMA: Okay. And the garage is basically zero lot line, right? It's sharing a common walls?

MR. FRAMPTON: Correct.

VICE-CHAIR HOKAMA: Okay. Okay. So, what's the advantage of doing it that way, Mr. Rixey?

MR. RIXEY: Chair, Councilmembers, the garages are placed differently on different lots. The reason why they're placed unto the rear of the lots on road A is because what I wanted to try to do is create more space and flow when you're entering into the property. So, like the sidewalks are also separated from curbs so there's a lot more greenery and a lot more open space and all the houses have porches on them. So, I wanted the streetscape, so to speak, to be more open and flowing. So, by putting the garages in the back, all the cars go back there. And on those particular lots, because of the size of the lots, they can only accommodate a single-car garage. And so, in order to accommodate a maximized, a open space between the houses, the two single-car garages back up to each other therefore the zero lot line.

VICE-CHAIR HOKAMA: Okay. So everything on roadway A, the front of the unit faces the trees, right?

MR. RIXEY: Yes.

VICE-CHAIR HOKAMA: Okay. For roadways B and C...

MR. RIXEY: On roadways B and C...

VICE-CHAIR HOKAMA: The front of the...what is the house facing? The tree or the...

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MR. RIXEY: All of the houses are facing the streets. They're facing either road A or they're facing a park, green space.

VICE-CHAIR HOKAMA: So, B and C you basically entering the rear of the lot?

MR. RIXEY: Yeah. And that's "alleyway."

VICE-CHAIR HOKAMA: Right. Right. Right.

MR. RIXEY: And so, there where it's a single-family home, there's an option for garage or carport or nothing. But there would only be a two-car garage at the most.

VICE-CHAIR HOKAMA: Okay.

MR. RIXEY: Then on where you're seeing the duplexes that are in orange, on that road, those are carports or nothing. There won't be enclosed garages. And the point behind that is so there's no obstruction for Fire to get from the road to the house. So, in other words, it's open space.

VICE-CHAIR HOKAMA: Okay. Okay. Okay. Have you had an community comment or concern about how the walkways, greenways, or plan regarding either pedestrian or homeowner safety? 'Cause --

MR. RIXEY: I'm not sure if I...

VICE-CHAIR HOKAMA: --I mean you're gonna have the element that allows to have all these walkways passing houses. Okay. And that's not the element that wants it for a good reason. So, how are we regarding the security component because we're putting walkways along lot of people's bedrooms and whatnot.

MR. FRAMPTON: Okay. I understand.

VICE-CHAIR HOKAMA: My concern is the bad element.

MR. FRAMPTON: Understood. And that's why, again, if we go back to the purpose, intent and one of the key design principles was again designing a place that is gonna be within development on both sides of it. But we're also trying to design a community that's got a good sense of place and the type of buyers and people coming in ideally need to, neighbors need to know each other; we need to get along and look out for each other and not rely...from the work that we had done in studying some of these other projects, we had found that by having as long as those access ways are safe in themselves and how you walk on them, they actually had helped with some security by having more presence, people more present being out there walking. And if you had more people walking, there's more opportunity for guys doing the bad stuff don't like that. And that was the idea of how the design at least was laid out.

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VICE-CHAIR HOKAMA: Okay. And then just let me know which one, on lot 36, Mr. Frampton, is it a corner lot or is it a, more of a rectangle lot that's further into the retention basin area? 'Cause one map shows it as a corner lot and the other map shows it as a further interior lot.

MR. FRAMPTON: Okay. So that's 36 there and then if you show it right here.

VICE-CHAIR HOKAMA: So what is it?

MR. RIXEY: It's a corner lot.

MR. FRAMPTON: The one that's shown on the green plan, if you look at the boundary, the colored rendering doesn't show the exact boundary of that lot, I guess; the Page 3 that you're looking at. Makes it look like it might not be. The idea is that it is to be a corner lot.

VICE-CHAIR HOKAMA: Okay. And as far as sight-distance from the intersections, the lots and the Waiale Road, we're okay from a road safety standpoint, Mr. Rixey?

MR. RIXEY: Yes. We're not asking for any exemptions to anything like that there on those roads.

VICE-CHAIR HOKAMA: Regarding the sight distance or --

MR. RIXEY: Yeah. It's all good.

VICE-CHAIR HOKAMA: --the radiuses? Wasn't there a radius...just for the inner road --

MR. RIXEY: Yes, sir.

VICE-CHAIR HOKAMA: --the radius? Okay. Thank you for that clarification. Okay. Let's see, Members, anything else for Fire? Is there anything that you want us consider, Captain or Chief, whether it's a hammerhead consideration for the inner road or anything else regarding the ability to respond for, to incidents or any other concerns?

MR. HAAKE: Thank you, Chair. The, you know, getting back to the access and the fire protection, again, the internal roads, 20 feet wide, they'll meet our requirements for access as long as no cars are parking. And then the other component is the fire protection, right? And I have not seen a plan for fire hydrants, but we'd like to work with the developer to make sure that the fire hydrants are strategically located on those roads. So, I wanted to make sure we got that comment in.

VICE-CHAIR HOKAMA: Okay. Thank you for that.

MR. HAAKE: Thank you, Chair.

MR. FRAMPTON: And, Chair, just to note --

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VICE-CHAIR HOKAMA: Yes, Mr. Frampton?

MR. FRAMPTON: --that comment was provided clearly in the Fire Department's response letter. It was a good, clear response that you note you haven't seen this precise locations of those hydrants, but that we need to adhere to, you know, the spacing of 350 feet. But the last part of the sentence is very clear, must be reviewed and approved by Fire Prevention Bureau. So, clearly we have every intention when we go into those details, we'll come in, talk story, make sure you guys are good with it.

MR. HAAKE: Thank you.

VICE-CHAIR HOKAMA: Okay, thank you. So, Captain or Chief, any comments you wish to share this afternoon with the Committee as it regards to any area under paragraph E as it relates to the Fire Code as far as what the applicant is requesting? Under E, there's the permit fees, E.3, E.4, E.5. Any comments you wish to share with the Committee regarding their requests?

MR. HAAKE: None at this time, Chair.

VICE-CHAIR HOKAMA: Okay. Thank you, Captain. Chief?

MR. MONTALVO: Just want to thank you, Chair, and thanks. Mr. Frampton. for, you know, being willing to work with us and we look forward to that meeting in the future. Thank you, Chair.

MR. FRAMPTON: Thank you guys, too. Your meeting early on has been very helpful. Your guys that we worked with have been great. Thank you.

MR. MONTALVO: And also, Chair?

VICE-CHAIR HOKAMA: Yes, Chief?

MR. MONTALVO: Just to note that that was Lieutenant Oliver Vaas that was the...

MR. FRAMPTON: That's the one. Yeah. Cool. Good. Thanks. He was great.

VICE-CHAIR HOKAMA: Thank you for mentioning it. Members, any last question for Fire as it regards to paragraph E regarding the proposal and Fire's role in the review? Okay, if there's nothing else for Fire, Chief, Captain, thank you for your support this afternoon. We appreciate it. We're gonna take a short break and then we're gonna hit Department of Transportation, Members. So, please be back by 3:10. . . .(gavel). . .

RECESS: 3:02 p.m.

RECONVENE: 3:13 p.m.

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VICE-CHAIR HOKAMA: . . .*(gavel)*. . . Okay. We shall return to order. The Chair would like to finish up as much of the departments' review as possible. We may not be able to reach a decision point this afternoon, but we'll do the best we can. Your Chair is aware of the changing environment outside and because we have our Deputy Director of Transportation, Mr. Buck, I'm going to ask Mr. Buck if he can give us any current status as regards to public service regarding transportation by the County, please, to the community.

MR. BUCK: Thank you, Chair. Currently the bus system, the Maui Bus system, is currently running as scheduled until the end of the day; that includes MEO. Tomorrow, however, we're shutting down all services; that includes Human Services Transport. So, bus service will not be running tomorrow. So, if anybody needs rides to the shelters they should be thinking about getting on the bus now if they need to get to the...but we're shutting down completely for the safety of the equipment and the employees who have to drive the bus. So, that's the update and it will be shut down until further notice. We are quite aware that the needs of some of our clients that will probably need dialysis later on so we're gonna be monitoring as much as we can to start it back up as soon as possible; at least to service those people. Thank you, Chair.

VICE-CHAIR HOKAMA: Thank you, Director Buck, for the update. We appreciate your Department's service. Okay. Before we move to Transportation, I have one more thing that I wanted to ask Water before we excuse Water Department. And if Ms. Taomoto would return for the one question? And, Members, that was part of Mr. Atay's query to Fire earlier as it regards to access from Honoapiilani Highway into the proposed project site for emergency response purposes. Water Department, your comments please on the that question?

MS. TAOMOTO: Sorry, Chair, can you repeat the question?

VICE-CHAIR HOKAMA: It was, regard the access from Honoapiilani and the fire service response.

MS. TAOMOTO: As far as fire protection from Honoapiilani Highway, the Department of Water Supply made a determination that fire protection was not required along Honoapiilani. We are...which is shown in exemption D.1. We agree to this exemption request. We are requiring the applicant to provide fire protection which would include extension of the water main along Waiale with hydrants to meet their hydrant spacing of 350 feet. And the, I believe, the applicant will be submitting plans that would be consistent with my statements. Thank you.

VICE-CHAIR HOKAMA: Okay. Thank you. Members, any question for Ms. Taomoto on what she has just shared with you? Any need for clarification? Okay, if not, Ms. Taomoto, thank you very much for your help today. Okay. We'll hit Transportation now. Again, we thank Mr. Buck. Members, you did receive communication from the Department on August 20th as regards to questions posed by the Committee via Chairman Carroll.

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So, Mr. Buck, again, any comments as regards to the questions posed to your Department regarding transportation issues?

MR. BUCK: I think the, our comments are fairly self-explanatory. We've had meetings with the developer and, you know, there's some discussions or rather requirements for bus stops and it's all in our transmittal, but so we don't see any issues involved with that. Just one additional comment that we know that there's a lot of development that's maybe getting out in that area so at some point in time we're gonna have to relook at our overall routes and maybe come up with a new route to service that area. But, right now, our routes are pretty tight so to come through there. So, the nearest bus stops are as per our transmittal are within walking distance which is a standard for Transportation. The only comment we did want and just wanted to stress out that we would like to be sure that the, from the development to the bus stops or future bus stops they are walkable and safe and that for the pedestrians and the riders. Thank you.

VICE-CHAIR HOKAMA: Thank you, Director. Ms. Crivello, questions for the Department? Transportation?

COUNCILMEMBER CRIVELLO: Chair, not at this time.

VICE-CHAIR HOKAMA: Thank you. Ms. King, questions?

COUNCILMEMBER KING: No, just...well, I guess just pertaining to the bus stop. Is that the requirement include them actually putting in the, you know, the pre-approved bus stop that we, the County, uses that we normally put in?

VICE-CHAIR HOKAMA: Director?

MR. BUCK: If they decide to put one in then we would have to review it, the location. But, right now, we're not making a, we're not holding the stick against the approval of putting in a bus stop.

COUNCILMEMBER KING: Okay.

MR. BUCK: But maybe they should consider overall for future, for the future --

COUNCILMEMBER KING: Okay, so...

MR. BUCK: --which would probably be on Waiale Road.

COUNCILMEMBER KING: Okay. Because the modification number 2 says the Department of Transportation shall approve the placement and design of a bus stop. So, but that's not a done deal? Just if they decide to put one in then you would approve it?

MR. BUCK: Yes.

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COUNCILMEMBER KING: Okay. I guess I missed it.

MR. BUCK: Yes. And we had discussions already.

COUNCILMEMBER KING: Okay.

MR. BUCK: With them already. So, yeah, not putting in, it's not a done deal.

COUNCILMEMBER KING: Okay. Thank you.

VICE-CHAIR HOKAMA: You're okay? Thank you. Mr. Guzman?

COUNCILMEMBER GUZMAN: I'm okay.

VICE-CHAIR HOKAMA: Mr. White? Ms. Sugimura?

COUNCILMEMBER SUGIMURA: I'm fine.

VICE-CHAIR HOKAMA: Mr. Atay?

COUNCILMEMBER ATAY: Thank you, Chair. Director, when you go into a residential neighborhood that you provide bus service for what's the normal distance apart from one bus stop to the other?

MR. BUCK: That's a fair question. I can't really give you the technical answer right now. I mean, I don't have that technology, but there is a distance in the existing bus stops right now does meet that criteria for that project.

COUNCILMEMBER ATAY: Yeah. No, 'cause you commented that from looking at the written response, my understanding according to the written response, currently right now there is no bus service going south of Kuikahi Road.

MR. BUCK: That is correct. The only thing that's going south is on Honoapiilani Highway and there's not a stop there. The nearest stop, the only bus service that goes by that project is the Lahaina Islander and it stops in Waikapu.

COUNCILMEMBER ATAY: It stops at Waikapu stop?

MR. BUCK: Yeah, but it doesn't stop that area. So, yeah, closest would be from the shelter in Kamole Street in the subdivision, the other subdivision.

COUNCILMEMBER ATAY: Yeah, so I'm looking at the map, the bigger map that Mr. Frampton has shared with us and I think the closest bus stop is the one fronting the homeless shelter; looks like about 4 or 500 hundred yards north of Kuikahi. I know, we know that soon-to-be, as well as Waikapu Gardens, as well as other, this proposed development, and then we're in talks with other proposed developments. So, very shortly, the whole, all the lands, all the parcels within the Waiale Road from

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Kuikahi all the way down to Waiko Road will be developed with residential homes. And so, I would assume, that we would start to initiate planning out an extended bus route service along Waiale Road towards Waiko and bringing it up if you're gonna connect where we're currently...the next bus stop is like another mile down in front of Waikapu? So, with that, where would, where...I don't know what the question is, is I think we're gonna need a bus stop locations. And that's why I asked how far apart. Not this development, I think the other developments that we're discussing is some kind of a multiple apartment housing with senior housing and so I know if they need access to get to bus, you kind of want to make it a shorter walk for them. So, I think what I'm asking is would there be now an initiation of future planning for a bus route?

VICE-CHAIR HOKAMA: Director?

MR. BUCK: Thank you for that question. As a matter of fact, we've been in discussion prior, you know, during this response that there's probably gonna be, we'll have to have a need to start looking at while most of the developments are and there's certainly lot of development going on out there and there will be a need for a bus service. We're gonna be, start looking at that and how we're gonna do the route. We're also looking at how to do maybe possibility of doing a new route to maybe relieve some of the Wailuku route 'cause especially when school's in session we do have some issues with timing on the Wailuku route. So, we're looking at some of the routing and how they route. There's gonna be a need because you have, basically you have all that development in Waikapu that's gonna be taking place in the future and then of course all the other developments; you've got the, I guess, one farther down on the other side of Waiko Road. And then, of course, you've got a lot of the Maui Lani and the new park and everything else so that's something we're gonna be considering to take a look at that, eventually in the future. But it's all subject to funding.

COUNCILMEMBER ATAY: Okay. I'm okay, Chair.

VICE-CHAIR HOKAMA: Okay. Thank you. Any comments, Mr. Frampton, you wish to add at this time?

MR. FRAMPTON: I would just note that and to recognize what, Mr. Atay, you've been saying we would agree in that this area is gonna be experiencing some future growth. They're all...immediately next door to us, Emmanuel Lutheran still looking at their master plan of a church and a school, there's another church nearby. What we had and we also were told, we were made aware of the project on the corner of Kuikahi and Waiale, the multi-family one you spoke of, had been apparently had some initial discussions with Department of Transportation, the County, in regards to, I mean, possibly if they could include this in their route they would be willing to work with them. What we had represented in the last meeting, I would just note again, that we would be, still be willing to work on a, like a pro rata or a equitable sharing that if they end up putting one down by there and they want us to participate, we would be willing to do so. If it wanted to...if it needs to be in front of our project there is enough space in the right-of-way to do so and we see the bus stop not as a liability of any means, it's an asset; I think for anybody in the community. The bus folks have done a wonderful

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job. It's increasing, it's a great service, and I think having more if it is good. To start the planning, we'd be willing to participate on a fair share pro rata basis.

COUNCILMEMBER ATAY: Thank you.

VICE-CHAIR HOKAMA: Okay. Thank you. Any other Member has a question for Mr. Buck as it regards to the bus stops or anything else regarding transportation? Okay. So, I appreciate this discussion, Members. One thing that has, we have received recently, but I'm not gonna entertain discussion is the applicant's request 'cause we don't have time is regarding exemption of conditions of zoning as far...a part of Ordinance 3686, Bill No. 74, 2009, which was granted to Emmanuel Lutheran. Then Council placed 11 conditions of approval. Okay. Part of it is the road system work. So, take a look at this prior to the reconvening of this Committee to further discuss this application and whether or not the request is viable for this Committee because it will impact how we're gonna pay for or do some of the regional improvements for pedestrian and vehicular requirements. So, I would ask you to take a look at this, ask your questions before decision-making, but one of the requests is the exemption so you have to figure out then this only applies to half the property because this conditions was given to the whole property for the rezoning. Okay. We can do it. It's within our authority, but it's a decision we're gonna need to make on exempting the conditions. Okay. So, what I'm gonna do is instruct the Staff to hand out to you a copy of the ordinance, again, we're not gonna discuss it this afternoon. But I want you to be aware of it, be prepared. I'm anticipating Chairman Carroll to return for the reconvening of this meeting if his doctors give him the green light. So, --

COUNCILMEMBER SUGIMURA: When?

VICE-CHAIR HOKAMA: --just be prepared because it is a request by the applicant. Okay.

COUNCILMEMBER SUGIMURA: So, Chair?

VICE-CHAIR HOKAMA: Yes, Ms. Sugimura?

COUNCILMEMBER SUGIMURA: When are we reconvening? Or to tie into your conversation?

VICE-CHAIR HOKAMA: I am, again, because of the weather there's a lot of our committees trying to reschedule. You know, I know Ms. Crivello is trying to reschedule, Mr. Atay's trying to reschedule, I know Ms. King is trying to reschedule because of the weather impacts. And so, I'm looking also at what we can be doable. I mean even if Mr. White is looking at Council rescheduling. For me, part of the challenge for me to assist Mr. Carroll is the clock of this applicant. It doesn't stop because of the storm. It still goes tick, tick, tick on us. So, I'm trying to give you the maximum opportunity to discuss the application prior to a decision. And that's why currently without us needing to repost, I'm going to ask you to consider and we won't make the call now, but maybe about 4:00, 4:15 whether Tuesday, 10:00 a.m. works for you to reconvene in case another committee or Council needs the time prior to the 10:00 a.m. for

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required work then that's doable. But I would like to try and set the reconvening of this Committee to finish up departmental review as well as move into the exemptions and whether or not you want additional modifications --

COUNCILMEMBER SUGIMURA: Okay.

VICE-CHAIR HOKAMA: --before the clock ticks. 'Cause I would hate to recommend denial just so to have them resubmit so we can have more time to finish up the application. I would prefer we try and finish within the time allotted.

COUNCILMEMBER SUGIMURA: So recess to the 28th?

VICE-CHAIR HOKAMA: I'm asking that that be your consideration. We won't make the call at this time so if you could please check your calendars. Again, I know Mr. Atay's polling, Ms. Crivello's polling, or Chairman White is trying to do something, and Ms. King is trying to do something. But, I'm tossing that out to you. Tuesday, August 28th, 10:00 a.m. to reconvene and try and finish up this application. So, please check with your calendars and we'll make the call in a short while, --

COUNCILMEMBER SUGIMURA: Okay.

VICE-CHAIR HOKAMA: --Members. Mr. Atay?

COUNCILMEMBER ATAY: Chair, I respect the timeliness that's necessary to address this within that 45-day window and I'm, you know, because of that, you know, I'm, my polling will...what do you call?

COUNCILMEMBER SUGIMURA: Withdraw.

COUNCILMEMBER ATAY: Concede to allow this to move forward.

VICE-CHAIR HOKAMA: I thank you, Mr. Atay. And again, you know, if you have time-sensitive things also, I know, I mean as another Chair I appreciate and understand the need of your Committee to require meeting also, as well as Mr. White. We do have time sensitive ordinance in position because of the clock of when implementation of those fees go in is a concern that I know Mr. White needs to try and address for us. So, that's another issue. Mr. White, any comments regarding my consideration I'm asking the Committee?

COUNCILMEMBER WHITE: Yes. Thank you, Chair. We have set a meeting for, a special Council meeting for Tuesday. It's likely that we'll cancel Friday's meeting. So, we have two meetings that have time sensitive, the Council meeting with a couple of ordinances and I'm also putting on the agenda a referral of any matters having to do with any damage that occurs during Lane for Tuesday's consideration as well. And so, it's likely that...well, we have the other two committees, Mr. Atay's and Ms. Crivello's polling and I believe Ms. King will be doing the same thing. So, the Council meeting and this Committee meeting take precedence, but I believe they're polling for

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Wednesday as well so, we'll see how the polling goes and hopefully we can button some things up.

VICE-CHAIR HOKAMA: Okay. Thank you. So, again, Members, I'll ask for your decision 4:00, 4:15. At this time, we're gonna continue as much as we can. Anything else for Transportation? If not, we'll thank Mr. Buck for his presence. Okay. Let's see...

MR. BUCK: Just stay safe.

VICE-CHAIR HOKAMA: Thank you. Thank you, John. Okay. Let's see, let's bring up Planning Department, please. Okay, Mr. Alueta, thanks for joining us this afternoon. You heard already, you know, general questions for the various departments. You have any comments you'd like to share with the Committee or any comments regarding exemption G that has been requested of this Committee's consideration?

MR. ALUETA: Thank you, Mr. Chair. In general, we are in support of the project. I think the only thing, other comments we had is like looking over the exemption from zoning, per se, is that I guess it would be to maybe restrict the uses of not just the subdivision and the use of single-family housing, but also the entitled uses to the Residential District; if that's the intention. So, we don't get any confusion later on, five years, ten years later somebody wants to open up a Public/Quasi-Public use. I just want to make sure that that type of exemption is allowed.

VICE-CHAIR HOKAMA: Okay.

MR. ALUETA: And so, just based on reading what their use, so only single-family, that's it. So, it's gonna be...and multi-family and highly restrictive. Okay. So, no vacation rentals.

VICE-CHAIR HOKAMA: Yes. No --

MR. ALUETA: Zero.

VICE-CHAIR HOKAMA: --short-term vacation rentals.

MR. ALUETA: 'Cause you have it as being incidental. So...

MR. FRAMPTON: No. The intent from our side was strictly those residential homes for the local families to live and reside in; homeownership, you gotta live there and nothing else. The duplex is the only one, but that's a two-story duplex and single-family residential is all we're asking for.

MR. ALUETA: Okay. Thank you, Mr. Chair.

VICE-CHAIR HOKAMA: Yeah. Thank you for those comments.

MR. FRAMPTON: Good points though, Joe.

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VICE-CHAIR HOKAMA: So, any other comment, Mr. Frampton? Because what we're hearing is it's a very narrow parameter of permitted use.

MR. FRAMPTON: That is correct. That's the intention. It's, if we were coming in for, I think, anything else we probably should come in for a Change in Zoning to go through a full thorough analysis. But this is strictly as seen as residential to help the situation we're all in.

VICE-CHAIR HOKAMA: Okay. Thank you for that, Mr. Frampton. Mr. Alueta, one question I would ask prior to opening it up to our Committee Members is something that was brought up in public comment. By the exemptions of community plan and zoning, are we foregoing any procedures or steps that would...what's the right way of putting, phrasing it? That we'll do our required due diligence as regard to historical, architectural, or historical factors regarding the project site? Did we skip Burial Council or cultural resource review requirements by exempting zoning and community plan amendments? Or are they still required to ensure, you know, appropriate monitoring from your Department's perspective? And then I'll ask Mr. Frampton for your comments.

MR. ALUETA: Mr. Spence has indicated that he has would also like to answer this question, but I'll take our first stab at it. Because you're not necessarily doing a developmental permit per se, I mean this is a land use issue, it would be during the developmental stages. You have during land use entitlements, there has been special conditions attached for additional archaeological report. But again, anytime you do grading or any type of stuff those types do require the review of Department of Land and Natural Resources Historic Preservation. So, there is often in our land use system and permitting system a redundancy so that we try to catch it as best we can. But I don't believe that the, I think the basic grading permits and the review by DLNR would catch most of these or the concerns for archaeological sites.

VICE-CHAIR HOKAMA: Okay. Thank you for that, Mr. Alueta. Mr. Spence, as the former the director, you have any comments you wish to share at this time?

MR. SPENCE: Thank you, Mr. Chairman. No, I was just gonna comment on the and I heard the testimony by the person asking, you know, she couldn't find an archaeological impact report and it is...so that perked my interest. And so I looked in the application and the inventory survey is in Appendix C. So that is listed there. It's dated, it's actually revised 2016. There's an acceptance letter from Department of Land and Natural Resources Historic Preservation. That's dated July 1, 2016. And then the authors of the AIS had recommended to them that they do some monitoring simply because on other properties, nearby properties there were iwi and other resources found. So, they recommended as a part of their AIS that monitoring be done. So, as Appendix E, they include their monitoring plan that I know it was submitted to DLNR, I don't know if they have accepted it yet or not. But yeah, so they've done some extensive work on this already and assuming this gets approved and goes under construction they will have to have monitors on that site. Thank you, Mr. Chairman.

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VICE-CHAIR HOKAMA: Thank you for that. Mr. Frampton, any comments?

MR. FRAMPTON: Just was gonna note exactly what Mr. Spence just said. There actually had been an Archaeological Inventory Survey done with trenches. And we absolutely agree with monitoring. I was on the Burial Council for eight years as a member and I very much respect the, exactly what the testifier noted earlier. This is an area we know that's got iwi kupuna in this whole place with the sand deposits and that was always any project that came in that area, if you don't...I wouldn't understand how you could not do monitoring. You need to. This also is encompassed by the sand mining as well. But again, the reason it was encompassed in the sand mining halt right now, the moratorium, is because of the possibility of the iwi kupuna. So, yes, Mr. Spence is correct. We absolutely agree to do monitoring and have a monitoring plan prior to any subsurface activities going on out there.

VICE-CHAIR HOKAMA: Thank you for those comments, Mr. Frampton. Ms. Crivello, any questions for our Department or Mr. Frampton? Okay. Mr. Atay?

COUNCILMEMBER ATAY: I'm good, Chair.

VICE-CHAIR HOKAMA: Thank you. Ms. Sugimura?

COUNCILMEMBER SUGIMURA: No comments.

VICE-CHAIR HOKAMA: Thank you. Mr. White?

COUNCILMEMBER WHITE: No.

VICE-CHAIR HOKAMA: Mr. Guzman?

COUNCILMEMBER GUZMAN: I'm okay. Thank you.

VICE-CHAIR HOKAMA: Ms. King?

COUNCILMEMBER KING: Just a quick one.

VICE-CHAIR HOKAMA: Sure.

COUNCILMEMBER KING: Actually, I was going to ask that question about the archaeological citing so thank you, Mr. Spence, for looking that up ahead of time. The other question/comment I have is on the affordability because I note that we're going, you're starting at 70 percent. I know a lot of projects like yours are allowed to start at 80 percent. Of course, as a Council, we'd like it to go to 60 percent because, you know, we recognize that some of these even at the median family income it can be considered by a lot of people not to be affordable. So, can you just share what that translates to in price range for the houses that you're proposing?

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VICE-CHAIR HOKAMA: Mr. Frampton?

MR. FRAMPTON: Thank you for that question. Couple of comments there would be that it is correct that most of the projects out there start with 80 percent and work their way up to 140; that included our last project that we did immediately next door. But, when we did that project, I still had calls from local friends I grew up with that were saying those still, 80 percent's great, but it's just can you go any lower? It's still a reach. And so, from very day one, early on, the partners and us we got together and we asked our architect, Mr. Rixey, 'cause it becomes a function of the design of the home and how complex it is or how big it is and how much...what kind of materials you use. We made it clear that we would love to go down to 70 percent if we could and he came up with some great plans that including the duplex units that could allow for someone to come in and do a two-bedroom, one-bath duplex unit instead of having to go three-bedrooms, two-bath which was our last project. That using today's interest rates which is a function of, the price is a function of the interest rates and the average median income. That two-bedroom, one-bath unit when I last looked was, it's under 300. It's down...I saw it has everything to do with locking in the interest rates, of course; which is a hard one to nail down. But, that was our goal. The whole point was we knew we were thrilled to do the last project from 80 to 140 because I do believe that represents a chunk that's out there, but by no means are we the end-all or the solution to everything. But we do feel we could go down to 70 and that's why we did so.

COUNCILMEMBER KING: Okay. Thank you for that. I appreciate it. Thank you, Chair.

VICE-CHAIR HOKAMA: No. Thank you for that question. Is there any questions for Mr. Alueta from a Planning Department perspective, Members, that you'd like to pose? If not, Mr. Alueta, again, we thank you for your support this afternoon to the Committee's review.

MR. ALUETA: I did want to make one note that we do have a Maui Planning Commission on that other alternative date that you had. So...

VICE-CHAIR HOKAMA: Okay. Thank you for that. Okay. We'll bring up Housing Department or Division. So, since we got Mr. Spence, I don't know if you want Ms. Munsell or anything, but is there any other type of financial support going to the project? You know, they asking for exemptions, you know, this fast-track approval. Is there any other type of government support going to the project whether it'd be HOME funds, CDBG funds, TANF funds? Are you aware of this application requesting any other type of support or exemptions?

MR. SPENCE: I'm not aware of any, Mr. Chairman.

VICE-CHAIR HOKAMA: Okay. Mr. Frampton?

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MR. FRAMPTON: That's correct. We would take any money you want to offer. But, no. We...serious side of course, no. This is 100 percent private funds. No government funding.

VICE-CHAIR HOKAMA: For this Committee, we understand those that is 100 percent and doing it on its own. If this is to supplement and comply with a condition of zoning that was meant for a other purpose, I don't expect it to be funded by the government to satisfy the government's requirement.

MR. FRAMPTON: That's right.

VICE-CHAIR HOKAMA: So, that is the concern of this Chair.

MR. FRAMPTON: That's good.

VICE-CHAIR HOKAMA: Okay. Are there any questions for Housing Division as it regards to the application? Okay. One thing I did want to ask just for clarification please, Mr. Frampton. In your submittal, in the narrative, you clearly talk about three-bedrooms, the various price, lot size, and whatnot. And then in your current handout, you talk about four-bedrooms. Yeah, so, for clarification, are we going to...you want us to rely on the narrative of the three-bedrooms and those specific information as in this submitted document or would you like us to work off what you have now in this conceptual master plan of your project proposed types, lots, dimensions, and dwellings? Because in this you put four-bedrooms, but in your narrative you only go up to talk about three-bedrooms. So, I just want to be clear. Are we looking at four-bedroom...I mean what are we really approving for your unit type and densities?

MR. FRAMPTON: So what...thank you for wanting to clarify. On...there's a...the only ones that could get up to that size, we do have a design that could show for if someone came in and qualified for four-bedroom. I don't know if anyone will. But we have that as one of the options when you look at the sketches of the renderings that are attached. So, I'm not sure what other narrative they're referring to, but certainly the intention was for the duplexes, those are two-story, two-bedroom, one-bath, maybe three-bedroom, two-bath. But again, it's a function of what the family can afford. But we would have there is a number of units that could possibly go up to four-bedroom, but that's then a pretty high price, right? So, I don't know who could qualify for that. But we do want to have it as an option if it's conceivable.

VICE-CHAIR HOKAMA: Okay. No, again, we just asking for clarification.

MR. FRAMPTON: No. I appreciate you...I appreciate that.

VICE-CHAIR HOKAMA: So, we're clear on --

MR. FRAMPTON: I get that.

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VICE-CHAIR HOKAMA: --the proposal.

MR. FRAMPTON: Thank you. And I appreciate you're wanting to be clear and giving us that chance.

VICE-CHAIR HOKAMA: Yeah, because I mean if you can get the four-bedroom at the three-bedroom price, well, I'm not gonna argue that.

MR. FRAMPTON: Everybody's a winner.

VICE-CHAIR HOKAMA: Okay.

MR. FRAMPTON: Yeah.

VICE-CHAIR HOKAMA: Yeah, okay, I was looking at Page 5 of your submittal. 'Cause on Page 4 you talk about the housing planning study which we, our membership talked about recently. And then on Page 5 under the single-family units, you talking about the ranges, yeah. Twelve hundred, 1,800 square feet, 3-bedroom, 2-bath, da-da-da. And so, again, from this page I'm just thinking you only looking at three-bedroom maximum units, but then you're submittal today to me shows four-bedroom. So, I just wanted to be clear --

MR. FRAMPTON: Right.

VICE-CHAIR HOKAMA: --you know.

MR. FRAMPTON: I will...we're pulling up that specific section of the application to make sure hoping that there's...within the housing study, the market study, is that where you found that? Or in the actual narrative?

VICE-CHAIR HOKAMA: I'm just looking --

MR. FRAMPTON: Oh, okay. Okay.

VICE-CHAIR HOKAMA: --at out of your submittal to us. And again, Mr. Frampton, you know...

MR. FRAMPTON: Okay. I see on top of Page 5.

VICE-CHAIR HOKAMA: Right.

MR. FRAMPTON: That was meant to be could range from approximately and I believe the approximately must've been what it meant because if we go back to other sections of the application, it should match up with the table that I submitted on that.

VICE-CHAIR HOKAMA: . . .*(inaudible)*. . .

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MR. FRAMPTON: But we will go make sure.

VICE-CHAIR HOKAMA: No, that's fine.

MR. FRAMPTON: I'll make sure that before your next meeting.

VICE-CHAIR HOKAMA: Yeah, I mean, again --

MR. FRAMPTON: Make sure it's very clear. We can clarify that.

VICE-CHAIR HOKAMA: --just help clarify it for us please.

MR. FRAMPTON: Yes, for sure.

VICE-CHAIR HOKAMA: Yeah, thank you. That would be appreciated, Mr. Frampton. Okay. That's my only area of clarification. Let's see. Again, generally, Mr. Frampton, since you're up here, we heard Planning Department's, but your reasoning for the exemption of G is basically what? Just saving of time? Processing of time and permit application?

MR. FRAMPTON: It's a, I think there's multiple answers. One is yes, it absolutely would save time in terms of having to go through a Change in Zoning and a community plan amendment process. However, one thing I would note is that if you did need to do a Change in Zoning or a community plan amendment, you must include all sorts of technical studies and reports, right? That help supplement that application so that you can make an informed decision. All of those studies that we have done are the same...when we asked for the proposal from the consultants who did those reports, they would give us back a proposal that could've been used for a Change in Zoning or a 201H. We didn't see any distinction. We just said we needed it studied very thoroughly. And so, those studies are in, concluded within. So it wasn't a function of trying to not have to do any studies so to speak. But the other is the sense of time that this process does allow is the 201H as long as I believe we do 100 percent affordable housing, we felt it was worthy enough to ask for that 201H process which is can be expedited, but not at the expense of...I really appreciate the comments you folks were just sharing when you came back about the timeline that we're up against and I greatly appreciate that. We as the team we do of what you're trying to juggle and we want to just whatever we can do to help make that process workable we're gonna be very open to doing so.

VICE-CHAIR HOKAMA: Great. Great. Great. So, Mr. Frampton, you know, in the handout you show us six models, seven models and one for option or detached two-car garage in your drawings or conceptual drawings to us. This has gone through permit plan review, these models?

MR. FRAMPTON: These models have not gone through the detailed construction drawing plan review. These are the conceptual models, but these are what were gonna be used

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to create those construction plans. So, the architect who created that, which we've heard from earlier, George, --

VICE-CHAIR HOKAMA: Right. Right.

MR. FRAMPTON: --is very capable of taking those then to the next level. But before we went down that path, we wanted to make sure that this was acceptable first.

VICE-CHAIR HOKAMA: Well, just with G and F or C, A, we have any ADA issues that we need to be aware of, Mr. Frampton?

MR. FRAMPTON: I would defer to Mr. Rixey on that. I believe we wouldn't be seeking any kind of exemptions for that by any means. But, any input on the ADA? One second, Chair.

VICE-CHAIR HOKAMA: Yeah. Thank you.

MR. RIXEY: Chair, Committee. All of the models can easily accommodate any requirements necessary for ADA.

VICE-CHAIR HOKAMA: Okay.

MR. RIXEY: The ones that would pose an exemption, exception to that would be the duplex on the second story.

VICE-CHAIR HOKAMA: Got it.

MR. RIXEY: Yeah. Just simply because of access getting up there.

VICE-CHAIR HOKAMA: Right. Right. Right.

MR. RIXEY: You have to put an elevator or lift or something like that.

VICE-CHAIR HOKAMA: Right. Okay. Okay. No, I just was curious whether, you know, you had issues or you were asking for any adjustments from the...

MR. RIXEY: And it's...one more thing.

MR. HOROVITZ: Sorry, the lawyer can jump in here. Peter Horovitz. Thank you, Chair. I just point of the ADA really applies to places of public accommodation. I think what might be more concerning is whether these homes can accommodate physically handicapped people, you know, living in...aging-in-place requirements. And I think that was what Mr. Rixey was commenting towards.

VICE-CHAIR HOKAMA: So, anything with ground floor we're okay then, George, right? The bathroom door widths, circumference within the showers, and the whole bit, right?

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MR. FRAMPTON: Yeah.

VICE-CHAIR HOKAMA: We're okay?

MR. FRAMPTON: Width of doorways, all that stuff we've gone through that with...yeah.

VICE-CHAIR HOKAMA: Okay. No, I appreciate that, those considerations. Members, do you have questions that we can pose to Mr. Frampton or his team to be prepared for response at the reconvening of the meeting? Any questions you'd like to have us forward on your behalf prior to the next convening so that we can get appropriate responses in time? None? Okay. Members, let's see, we took care of Fire, Transportation, we got . . . *(inaudible)* . . . We handed out the conditions of zoning. Oh, I know which one we should, I would like us to have some discussion on. And one thing we didn't talk about was the one of the exemptions that being also, I guess, requested was the exemption from Chapter 14.35, Members. That is the wastewater assessment fees. I don't think we called IEM for today, but they are gonna request exemption for fees for the Wailuku-Kahului Treatment Facility and to grant the exemption from having to pay such assessment fees. They did send a correspondence dated August 8th from Mr. Horovitz regarding the request. Oh wait, Mr. Horovitz, you requested that exemption be removed?

MR. FRAMPTON: Yeah, we'll have him answer.

VICE-CHAIR HOKAMA: From consideration, please? Yeah, if he could clarify that for us?

MR. HOROVITZ: Certainly. I don't think we need that exemption. If you read the Code section that the fee that it applies to lapsed. It was a fee back from the...

VICE-CHAIR HOKAMA: Correct. We did, yeah, sunset.

MR. HOROVITZ: And so I, we don't want to ask for something that doesn't apply and we don't need so if, we'd like to remove that from consideration.

VICE-CHAIR HOKAMA: Okay. Thank you for that --

MR. HOROVITZ: Thank you.

VICE-CHAIR HOKAMA: --point. I think we sunsetted that, yeah, Mr. Ueoka? I believe that came from Budget the sunset of that specific fee?

MR. UEOKA: Chair, I'm not sure. I think the Kihei one we sunsetted, but the Wailuku-Kahului one, there's already an exemption for developments that are comprised of 100 percent residential workforce housing units as defined in Section 2.96.020 of this Code.

VICE-CHAIR HOKAMA: Okay. Well, we just we'll just re-verify 'cause I know we sunset it. There was one in Central and one in South Maui so we'll verify the adjustments to the

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ordinance. So, thank you for that, gentlemen. With no further requests before the, to the Chair for departmental. Let's see, Staff, is there something I need to bring up before we make a decision on a recess date? Ms. Nakata?

MS. NAKATA: Mr. Chair, I'm not sure if we've gone over the individual modifications. I know there was discussion about the bus stop, but...

VICE-CHAIR HOKAMA: Yeah. Yeah. Yeah, I know. You know what, the Chair will take a short recess subject to the call of the Chair. This will be about one minute, Members. . . .(gavel). . .

RECESS: 3:57 p.m.

RECONVENE: 3:58 p.m.

VICE-CHAIR HOKAMA: . . .(gavel). . . Okay. We shall reconvene. Members, I did, I forgot to ask you for your comments. So on Exhibit "A" of the proposed resolution to approve with modifications, you will see on Exhibit "A" the three modifications I did mention at the beginning of the meeting. So, I'm, I think that's enough time to just get some comments from all of you regarding any of the three proposed modifications. You've heard Department of Transportation give comment on number 2, specifically as it addresses a potential bus stop in or adjacent to the project site. Number 3, of course, is something that our approval will become lapsed and void if Land Use Commission fails to approve their responsibilities to make this move forward. And, of course, the first one is the clock. Yeah. They need to start within two years of the approval of the reso and complete within four years of the reso, which is two years basically construction. I am believing they can achieve this. Okay. We have a project I look out through those windows back there and they did it in two years. Okay. One hundred percent affordable. So, I don't know why this cannot be done in two years, either. Okay. 'Cause for me, pricing is gonna change drastically with the tariff war. Okay. It's us against the world. Okay. So, prices will be impacted on materials and supplies. So, Members, I'll ask if you have any comments you'd like to give Modification 1, 2, or 3 at this time. Ms. Crivello, any comments you'd like to share?

COUNCILMEMBER CRIVELLO: Thank you. So, without even going into details at all in necessary modifications and with the opportunity for us to have the review on the Ordinance 3686, I certainly would like to see such a project pass through. And I have to say I had an opportunity to do a site visit and look at the homes at the Pauwela 100 percent workforce development up in Haiku and same architect and 31 homes and it's filled all by local families, local working families; was chicken skin. And I hope we can have another hana hou for such an opportunity for our residents. All the other, if the departments are okay with our, the exemptions as it comes before us, I think we can hold them accountable if we're not being too nitpicky which probably isn't. And, you know, when we're, and you'll hear our study come next week, not so much study, but the report on and these are some of the recommendations is we've got to make some exceptions to be able to provide affordable homes, as long as I guess it's reasonable and the cost is...that oh, that less of the cost is a benefit to the

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homebuyer. So, you know, whether or not I'm directing my comments directly to the modifications and what have you, I'd like to see us go forward with this. That's my coming from and, you know, we talk a good talk about the crisis that we're in with affordable homes so let's see if we can really make this talk for real and let's see it happen. You know, since I've been in office I've heard a lot of talk and I think we've made some dents. I believe we've made some dents with the changes of our 2.96, and then we have the fast tracking coming with the 201H, and the longer we delay all this the more costly it becomes for our homebuyers which is really our Maui residents. So, I don't know if that's what you were asking for, but e kala mai.

VICE-CHAIR HOKAMA: No.

COUNCILMEMBER CRIVELLO: That's where I'm coming from.

VICE-CHAIR HOKAMA: No. I have a sense of which way you leaning, Member Crivello. So, thank you. Mr. Atay, any comments you want to share regarding modifications or concerns?

COUNCILMEMBER ATAY: Thank you, Chair. Not really. I think my questions, you know, like in the beginning has always been for the safety for the residents who's gonna be there. And so, the line of question for the fire and fire protection and safety. But, the final one was zoning and, you know, noting that it's Chapter 1931, Public/Quasi-Public District and developer agreeing that it's only for residential, you know, living. So, I would like to make sure that in perpetuity that development is only for residential although it falls in this Quasi-Public District that could allow other activities; I don't know the how to, how do we legally it, you know, you may be gone but to protect it so that it's always gonna be for families, residential...

VICE-CHAIR HOKAMA: Council is able to restrict the parameters of permitted use.

COUNCILMEMBER ATAY: Yeah. That would be the only one. Other than that, you know, all the questions for me have been answered and this is what we need and I look at the plan and I think this is a good project and I would like to have it move forward, you know, and support it.

VICE-CHAIR HOKAMA: Thank you. Ms. Sugimura?

COUNCILMEMBER SUGIMURA: Chair, you know, I agree with Member Crivello and Mr. Atay and I just want to, can we approve the project today? Why do we need to meet again? I mean sounds like they're willing to and they have and met with the departments...

VICE-CHAIR HOKAMA: I'm not entertaining a motion to approve today.

COUNCILMEMBER SUGIMURA: You're not taking up a motion?

VICE-CHAIR HOKAMA: No.

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COUNCILMEMBER SUGIMURA: Okay.

VICE-CHAIR HOKAMA: Mr. White?

COUNCILMEMBER WHITE: No, I share the feelings of Ms. Crivello and the others so I'm ready to look at it again on Tuesday.

VICE-CHAIR HOKAMA: Thank you. Mr. Guzman, any questions, comments?

COUNCILMEMBER GUZMAN: No. I agree also with my colleagues. I like the modifications. I like what we've been doing for the last few years in putting deadlines on the construction as well as completion. The transportation, it appears that it's open, you know, so it's something that needs, probably needs to be worked out. The language seems a little bit vague on number 2. But number 3 is also a good in which you stated, Chair, that we need to look at that Emmanuel Lutheran project as well. So, I'm ready when you are to move forward if need be. So, thank you, Chair.

VICE-CHAIR HOKAMA: Thank you. Ms. King?

COUNCILMEMBER KING: Thank you, Chair. I don't have any questions, further questions on the modifications, but I did want to thank you for giving us time to review the ordinance before we come back. So, but I do feel very positive about the project.

VICE-CHAIR HOKAMA: Okay. Thank you. No, my thing, and again, I'm anticipating Chairman Carroll to return is one reason I, you know, I would like him to try and finish up this application. If not, it would be my intention to try and finish on Tuesday, this consideration. So, that is why I really want you to take a look at the modifications. As your temporary Chair, currently I'm not too keen about number 2. I understand your point very well, Mr. Atay. I would agree that we need to be more regional in our perspective than just a project perspective 'cause we this is gonna go toward Waiko; we know that. It's gonna go toward Waiko Road as a natural boundary of a road, yeah. So, things are gonna keep moving toward Maalaea, Members. So, I would prefer to address as much of our infrastructure from a regional standpoint than a by project, per project because again, Members, I'm supporting this, but I know the General Fund is going to get hit on all the other components needed for a regional infrastructure improvement to make all of this work down the road; including spending money by the bridge and Mission Street, all the way down Waiale. Okay. So, we are talking about major millions of General Fund investment that we are not at this time ready to tax for. Okay. And this subdivision is going to be subsidized by the General Fund. It will not generate sufficient revenues to pay for what the County's gonna need to provide the subdivision, 80 units. Okay. So, the other zoning ____ will subsidize this project in services. Again, we came up with 6,600 in General Funds support per lot for residential. Okay. And the average real property homeowner is paying us under \$1,000. So there's a \$5,600 subsidy automatic per lot that somebody else is paying. That's the reality of taxation on this area. So think about it because eventually the conditions that is placed on Emmanuel Lutheran, they've agreed to pay for their portion. Yeah, so take a look. If you feel it is appropriate to waive on this

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side, exempt on this end, that's your decision for next week. But, I'll let you take a look at the documents and make your decisions at that point. So, the Chair is gonna ask is there any objections to recessing this Land Use Committee meeting on land use application LU-2(4) to Tuesday, August 28, 10:00 a.m. in this Chamber? Mr. White?

COUNCILMEMBER WHITE: Thank you, Chair. The Special Council meeting has been scheduled for 8:30. So, 10:00 is comfortable, but you might want to do 9:30. If Alika zooms on by, we'll be done in probably less than a half hour. Your call.

VICE-CHAIR HOKAMA: You know, the one bogeyman is you never know how testimony's gonna be on any given day, right? We can have no testimony and we can have testimony for three hours. I would rather just be time-certain, Members. So, ten o'clock I would like Staff ready to go. Also, and give them appropriate time as well as if Mr. Carroll does return, we want to make sure Mr. Carroll is briefed and up to speed to take over the Chair again for Tuesday's meeting. So, I prefer ten o'clock, Members. I want to make sure that whatever Council business has we can complete Council duties first.

COUNCILMEMBER WHITE: Just to confirm I'm assuming that all of you would prefer not to be here on Friday morning. We don't know what's going to happen, --

VICE-CHAIR HOKAMA: Understood.

COUNCILMEMBER WHITE: --but since we've posted for Tuesday, we'll go ahead and cancel the Friday Council meeting.

VICE-CHAIR HOKAMA: Okay, so that's the official announcement?

COUNCILMEMBER WHITE: Official.

VICE-CHAIR HOKAMA: Okay.

COUNCILMEMBER WHITE: So it'll convene at 8:30 on Tuesday.

COUNCILMEMBER SUGIMURA: Okay.

VICE-CHAIR HOKAMA: Okay. So, any questions, Members, recess 10:00 a.m. Tuesday, Chambers. Ms. King?

COUNCILMEMBER KING: Just while you're making announcements for the public just to --

VICE-CHAIR HOKAMA: Yes?

COUNCILMEMBER KING: --confirm that the Planning Committee meeting for tomorrow and Housing Committee meeting are cancelled and we're polling for the following week.

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VICE-CHAIR HOKAMA: Okay. Thank you for that. Any other comments or announcements, Members? Again this is a unique event we're going through. So, Mr. White, anything else?

COUNCILMEMBER WHITE: I know Ms. Crivello's is polling for her Committee meeting to meet on Wednesday. I don't know what time it was for, but I'm assuming you're cancelling tomorrow's meeting?

COUNCILMEMBER CRIVELLO: Yes. We've already --

COUNCILMEMBER WHITE: Oh, okay.

COUNCILMEMBER CRIVELLO: --posted that we're cancelling and --

COUNCILMEMBER WHITE: Okay.

COUNCILMEMBER CRIVELLO: --rescheduling for Wednesday, 9 o'clock, 1:30. Still polling.

VICE-CHAIR HOKAMA: Okay. Thank you for that. Anyone else has a announcement?

COUNCILMEMBER KING: Well...

VICE-CHAIR HOKAMA: Yes, Ms. King?

COUNCILMEMBER KING: Yeah. Planning Commission...Committee we're polling for Thursday at 9:00 a.m.

VICE-CHAIR HOKAMA: Okay. Thank you for that. Mr. Atay?

COUNCILMEMBER ATAY: And Water Resources, you know, being that we postponed this morning and we were polling for next week and like I said earlier, to me, this meeting is important as well as Council meeting so Tuesday, I'll no longer be polling for Tuesday unless we can do it in the afternoon.

VICE-CHAIR HOKAMA: Okay.

COUNCILMEMBER ATAY: But for the morning meetings on Tuesday, you know, I'm not gonna be polling for that. Maybe we can do it Wednesday morning. We're still polling.

VICE-CHAIR HOKAMA: Okay. Thank you, Mr. Atay. Okay. If there's no other announcements. You have anything, Mr. Spence, you wanted to make comment on?

MR. SPENCE: Thank you, Mr. Chairman. I just wanted to say for the general public if you're watching, if you visit the County website you'll find updates regarding the hurricane situation. You'll find information on the opening of the shelters. They are currently open and the correct shelters are open. There's some lists floating around out there

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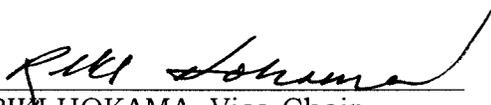
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that are not correct. So, please take a look at the County website and they are continuously updating. So, thank you, Mr. Chairman.

VICE-CHAIR HOKAMA: Okay. Thank you for that. Okay. So, with no further business for this afternoon, Members, this meeting will be recessed until August 28th, 10:00 a.m. back in this Chambers. I thank you very much for your presence and to our community we tell you to be safe, stay inside as much as possible, and again be safe and keep your family in your prayers. So, with that, we are adjourned. Or we are recessed. . . .(gavel). . .

RECESS: 4:13 p.m.

APPROVED:



RIKI HOKAMA, Vice-Chair
Land Use Committee

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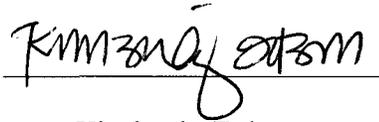
Transcribed by: Kimberly Tabon

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

DATED the 17th day of September, 2018, in Kahului, Hawaii

A handwritten signature in black ink, appearing to read "Kimberly Tabon", written over a horizontal line.

Kimberly Tabon