

COUNCIL OF THE COUNTY OF MAUI

PLANNING AND LAND USE COMMITTEE

October 3, 2003

Committee

Report No. 03-115

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

Chair and Members:

Your Planning and Land Use Committee, having met on September 15, 2003, makes reference to County Communication No. 03-214, from the Planning Director, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.78.060, MAUI COUNTY CODE, RELATING TO LAND USE CATEGORIES AND ACREAGES AND THE MAUI LANI LAND USE MAP".

The purpose of the proposed bill is to delete Land Use Map Exhibit "A" (the map), in Chapter 19.78, Maui County Code, for the Wailuku-Kahului 1 Project District (Maui Lani), comprising property designated as Tax Map Key (TMK) Nos. 3-8-007:109, por. 121, por. 130, por. 131, por. 136, por. 137, and por. 138, Wailuku/Kahului, Maui, Hawaii, as requested by Maui Lani Partners. Deletion of the map would provide greater planning and development flexibility within the project district and allow for the construction of a school at a site not reflected on the map.

By correspondence dated August 20, 2003, the Council Chair transmitted correspondence dated August 13, 2003, from the Planning Director, transmitting minutes of the Maui Planning Commission meeting of July 22, 2003.

By correspondence dated August 25, 2003, Mich Hirano, AICP, Munekiyo & Hiraga, Inc., provided information in support of the proposed bill on behalf of Maui Lani Partners.

By correspondence dated August 26, 2003, the Chair of your Committee transmitted a revised proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.78.060, MAUI COUNTY CODE, RELATING TO LAND USE CATEGORIES AND ACREAGES AND THE MAUI LANI LAND USE MAP", incorporating technical amendments.

By correspondence dated September 4, 2003, Michael T. Munekiyo, AICP, Munekiyo & Hiraga, Inc., informed your Committee that Maui Lani Partners

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would not object to an ordinance revising the map to accommodate the State Department of Education's plans for a new school, as a possible alternative to deletion of the map.

By correspondence dated September 8, 2003, the Chair of your Committee requested approval as to form and legality of a proposed bill to further amend the revised proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.78.060, MAUI COUNTY CODE, RELATING TO LAND USE CATEGORIES AND ACREAGES AND THE MAUI LANI LAND USE MAP" by amending the map to accommodate the State Department of Education's plans for a new school.

By correspondence dated September 8, 2003, the Department of the Corporation Counsel transmitted a revised proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.78.060, MAUI COUNTY CODE, RELATING TO LAND USE CATEGORIES AND ACREAGES AND THE MAUI LANI LAND USE MAP". The purpose of the revised proposed bill is to amend the map to accommodate the State Department of Education's plans for a new school.

By correspondence dated September 8, 2003, Leanne Rivera expressed support for an ordinance to accommodate the State Department of Education's plans for a new school.

At its meeting, your Committee met with the Planning Director, a Staff Planner from the Department of Planning, the Director of Public Works and Environmental Management, the Director of Transportation, the Deputy Chief of Police, a Police Officer from the Department of Police, the Water Resources and Program Manager from the Department of Water Supply, and a Deputy Corporation Counsel.

Your Committee received correspondence entitled "FAST-TRACK TIME SCHEDULE FOR MAUI LANI ELEM. SCHOOL", submitted by Michael Munekiyo, AICP, Munekiyo & Hiraga, Inc., on behalf of Maui Lani Partners.

Your Committee received public testimony from Michael Munekiyo, AICP, Munekiyo & Hiraga, Inc., on behalf of Maui Lani Partners. He informed your Committee that Maui Lani Partners would prefer deletion of the map, but would

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not object to an ordinance revising the map to accommodate the State Department of Education's plans for a new school, as a possible alternative to deletion of the map. Mr. Munekiyo further advised your Committee that prompt Council action would facilitate the new school's timely construction.

In response to your Committee's questions, your Committee received information about construction plans for the new school from a representative of the State Department of Education and engineers from the firms of Parsons Brinckerhoff and Warren Unemori Engineering.

Your Committee expressed concerns about the adequacy of the infrastructure within the Maui Lani development. Administration representatives acknowledged your Committee's concerns and pledged to diligently monitor the adequacy of infrastructure.

In addition, your Committee inquired about the conditions that have been imposed on the Maui Lani development and the current status of compliance with those conditions. Your Committee requested that the Department of Planning research the matter.

Your Committee voted to recommend passage on first reading of the revised proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.78.060, MAUI COUNTY CODE, RELATING TO LAND USE CATEGORIES AND ACREAGES AND THE MAUI LANI LAND USE MAP" transmitted by the Department of the Corporation Counsel on September 8, 2003. The purpose of the revised proposed bill is to amend Land Use Map Exhibit "A", in Chapter 19.78, Maui County Code, for the Wailuku-Kahului 1 Project District (Maui Lani), comprising property designated as TMK Nos. 3-8-007:109, por. 121, por. 130, por. 131, por. 136, por. 137, and por. 138, Wailuku/Kahului, Maui, Hawaii, to accommodate the State Department of Education's plans for a new school.

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Your Planning and Land Use Committee RECOMMENDS the following:

1. That Bill No. _____ (2003), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.78.060, MAUI COUNTY CODE, RELATING TO LAND USE CATEGORIES AND ACREAGES AND THE MAUI LANI LAND USE MAP", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication No. 03-214 be FILED.

Adoption of this report is respectfully requested.

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WAYNE K. NISHIKI **Chair**

DANNY A. MATEO **Member**

G. RIKI HOKAMA **Vice-Chair**

MICHAEL J. MOLINA **Member**

ROBERT CARROLL **Member**

JOSEPH PONTANILLA **Member**

JO ANNE JOHNSON **Member**

CHARMAINE TAVARES **Member**

DAIN P. KANE **Member**