

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

**MINUTES**

**July 13, 2005**

**Site Inspection**

**CONVENE:** 1:34 p.m.

**PRESENT:** Councilmember Robert Carroll, Chair  
Councilmember Joseph Pontanilla, Vice-Chair  
Councilmember Jo Anne Johnson, Member (Arrive 3:30 p.m.)  
Councilmember Danny A. Mateo, Member  
Councilmember Michael J. Molina, Member  
Councilmember Charmaine Tavares, Member

**EXCUSED:** Councilmember Michelle Anderson, Member  
Councilmember G. Riki Hokama, Member  
Councilmember Dain P. Kane, Member

**STAFF:** Carla Nakata, Legislative Attorney  
Tammy Frias, Committee Secretary

Morris Haole, Executive Assistant to Councilmember Robert Carroll

**ADMIN.:** Michael W. Foley, Director, Department of Planning  
Ann Cua, Planner, Department of Planning  
Michael Miyamoto, Deputy Director, Department of Public Works and  
Environmental Management  
Victor Ramos, Lieutenant, Department of Police  
Carl Kaupalolo, Fire Chief  
Valeriano Martin, Captain, Department of Fire and Public Safety  
James A. Giroux, Deputy Corporation Counsel, Department of the Corporation  
Counsel

**OTHERS:** **Item 69:** Pamela English, Development Manager, Maui Land & Pineapple  
Company, Inc.  
Ryan Churchill, Vice President, Maui Land & Pineapple  
Company, Inc.  
Robert McNatt, Executive Vice President, Maui Land &  
Pineapple Company, Inc.  
Warren Suzuki, Senior Vice President, Maui Land &  
Pineapple Company, Inc.

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Wes Nohara, Vice President, Farm Operations, Maui Land  
& Pineapple Company, Inc.

Tom Schnell, Associate, PBR Hawaii, Applicant's land use  
planner

Shan Steinmark

Eve Clute

Sharyn Matin

Others (3)

- Item 20:** Howard Kihune, Sr., President, Landtec, Inc.  
Rory Frampton, Senior Land Use Planner, Chris Hart &  
Partners, Inc.  
Mike Silva, Civil Engineer, Ronald M. Fukumoto  
Engineering, Inc.  
Eve Clute  
Sharyn Matin

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**LU-69                    WEST MAUI PROJECT DISTRICT 2 (KAPALUA MAUKA)**  
**(LAHAINA) (C.C. 04-181)**

The Committee assembled on the lanai at the rear of The Village Course Clubhouse, 2000 Village Road, Kapalua.

Chair Carroll convened the site inspection to allow the Committee members an opportunity to view the subject property and surrounding area from below.

Robert McNatt presented an enlarged map reflecting West Maui land ownership as a point of reference for the subject property. He also presented an enlarged map reflecting the current and proposed expanded areas of the West Maui Project District 2 (Kapalua Mauka) (the Project District).

Chair Carroll recessed the inspection at 1:38 p.m. so that the Committee could proceed to a second vantage point.

Chair Carroll reconvened the inspection at 1:57 p.m. at the central portion of the subject property, located mauka of Honoapiilani Highway, on TMK: (2) 4-2-01:042.

The applicant distributed booklets entitled "Maui County Council Land Use Committee Site Visit (July 13, 2005)" containing a brief overview of the property and the request.

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Ryan Churchill noted that the vantage point is situated within the Project District area, at the top of the Village Course.

The Planner stated that the subject property is outside of the Special Management Area. She also explained that, if the Council approves the request, the applicant would then return to the Maui Planning Commission for a Project District Phase 2 approval, followed by a Phase 3 approval.

There was no public testimony.

Councilmember Tavares questioned the location of the boundary for the State Land Use Urban District.

Chair Carroll recessed the inspection at 2:01 p.m.

**LU-20                    COMMUNITY PLAN AMENDMENT FOR KAA NAPALI 10-H  
RESIDENCES (C.C. 04-232)**

The Committee assembled at the monkeypod trees located just mauka of the cane haul road (alongside the Sugar Cane Train tracks), east of the subject property.

Chair Carroll reconvened the site inspection at 3:30 p.m. to allow the Committee members an opportunity to view the subject property and surrounding area.

Rory Frampton showed the Committee a site map reflecting the boundaries of the subject property and the roadway leading to the other end of the property. He noted the locations of a ditch, as well as an old structure along the roadway that was once used as a paint shop. He stated that the subject property was formerly used by the golf course. He also noted the presence of a sewage pump station nearby and a building that was the site of an old well, which provided a back-up source of irrigation for the golf course.

Mr. Frampton presented a subdivision map, noting that the applicant (Landtec, Inc.) is seeking to develop an 18-lot residential subdivision. He noted the existing entrance to the roadway and the buffer between the property and Honoapiilani Highway. He stated that there is a 25-foot elevation separation between the lowest proposed subdivision lots and the highway.

Mr. Frampton also stated that the applicant met with the owners of The Vintage, although the project is more than 500 feet away from the subject property (outside the required distance for notification). Mr. Frampton noted that there are three golf course holes between The Vintage and the proposed subdivision, and that height differences between the lowest home in The

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Vintage and the highest roof line in the subdivision had been calculated. He stated that the applicant had also invited residents of Kaanapali Royal to the meeting.

Mr. Frampton provided an overview of the property and the request. He stated that the property is within the State Land Use Urban District and is zoned R-3 Residential. The old Community Plan designation was Multi-Family Residential, but the most recent Community Plan has the property designated Light Industrial. The applicant is seeking to amend the Community Plan from Light Industrial to Single-Family Residential, which would be consistent with the County zoning.

Howard Kihune reiterated that the applicant is seeking to return the Community Plan designation to a residential one.

Mr. Frampton confirmed that the 18 lots would each have the potential for an ohana unit. Mr. Kihune stated that the minimum lot size would be 10,000 square feet, and that if the applicant constructs the homes they would be plantation style.

Councilmember Johnson noted that there is currently a visual buffer looking up towards the property from the highway. She questioned whether the trees and view planes would be preserved. Mr. Kihune responded that the applicant plans to maintain the hedges and fill them in, and to also maintain many of the big trees.

Councilmember Johnson questioned whether the operation of the sewage pump station would be affected, noting that people in the area have complained about the smell generated from the pump station. Mr. Kihune stated that there had been discussions about reducing the operation of the pump station, but the County has indicated it does not have the funds to address the issue. He said the source of the smell is the scrubbers, and that the smell would need to be disclosed to potential buyers.

Mr. Kihune confirmed that the applicant would be willing to prohibit short-term rentals in the main units and the ohana units. He further stated that homes would be priced at \$500,000 and up.

Councilmember Johnson questioned the applicant's intentions regarding affordable housing requirements and any traffic impact fees which might be in place. Mr. Kihune stated that the applicant would comply with any applicable requirements.

Councilmember Molina questioned the kind of lighting the applicant intends to use. Mr. Frampton stated that those details had not yet been considered. Mr. Kihune stated that the applicant would follow applicable requirements.

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The Fire Chief noted that the application was conceptual at this point, but that the Department would evaluate ingress and egress and other issues as the project progressed.

The Deputy Director of Public Works and Environmental Management explained that the sewage pump station could be downsized when the Villages at Leialii project is developed. The long-term plan for the pump station is tied to that project's plans.

Mr. Frampton pointed out the orange and yellow ribbons which had been placed on the subject property, noting that the ribbons demarcate the property's boundaries.

Mr. Kihune noted that the golf course would use the cane haul road rather than the driveway to access its maintenance facility on the other end of the property.

Councilmember Johnson questioned potential liability resulting from stray golf balls. Mr. Kihune noted that the applicant would install a berm that should help to reduce occurrences of stray golf balls.

The Planner stated that the open space strip along the highway would keep its open space designation.

Councilmember Johnson asked whether a hold harmless clause could be used to absolve the County of any potential liability as a result of damages due to stray golf balls or chemicals applied to the golf course. She asked whether the applicant would object to such a condition. The Committee noted that the subject request is for a Community Plan Amendment, not a Change in Zoning, and that the Council would not, therefore, be imposing any conditions on the property through the legislation.

Chair Carroll recessed the inspection at 4:00 p.m. so that the Committee could proceed to a second vantage point.

Chair Carroll reconvened the inspection at 4:06 p.m., just beyond the south end of the subject property, at the golf course maintenance yard.

Mr. Frampton pointed out that the flag locates the top boundary of the subject property. The Committee also noted the presence of the sewage pump station.

There was no public testimony.

Mr. Kihune discussed the locations of the lots and the buffer that would be provided by a half-acre park. He also noted that there is a drainageway that runs under the highway then across to Hanakaao Beach Park.

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Councilmember Johnson stated that there has been no resolution to the erosion occurring at Hanakaoo Beach Park.

Mr. Silva advised that the applicant would handle any excess water created by the development. He noted that a retention basin would also capture rainfall.

There being no further questions or discussion, Chair Carroll adjourned the inspection at 4:11 p.m.

APPROVED:



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ROBERT CARROLL, Chair  
Land Use Committee

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