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*printed on recycled paper*

October 30, 2023

Councilmember Tasha Kama, Chair,  
Housing and Land Use Committee  
Kalana O Maui Building  
200 South High St., 8th Floor  
Wailuku, Hawai'i 96793

Via E-mail: [hlu.committee@mauicounty.us](mailto:hlu.committee@mauicounty.us)

HLU-11

**SUBJECT: DISTRICT BOUNDARY AMENDMENT AND CHANGE IN ZONING  
FOR MOLOKAI EDUCATION CENTER (KAUNAKAKAI)**

Dear Chair Kama:

Thank you for your letter dated October 16, 2023, regarding the District Boundary Amendment and Change in Zoning for the Molokai Education Center (Kaunakakai). As PBR HAWAII is the University of Hawai'i's (UH) planning consultant, I am responding to your comments with this written letter in addition to the email I sent on Friday, October 27, 2023.

The responses below are organized to follow the order of your comments:

- 1. Unilateral Agreement and Declaration of Zoning** — The University of Hawai'i (UH) will transmit a Unilateral Agreement and Declaration of Zoning. UH's attorneys are working on the Unilateral Agreement and Declaration of Zoning and UH expects to be able to transmit it soon, but it is not certain when it will be transmitted. I would expect UH to be ready to transmit the Unilateral Agreement and Declaration of Zoning before the end of November.
- 2. Amendments to Conditions of Zoning** —UH's attorneys are working on proposed amendments to the Conditions of Zoning. The proposed amendments are similar to the draft version that Chancellor Hokoana and Vice Chancellor Tamanaha shared with you earlier this year. The final proposed amendments will be provided when the Unilateral Agreement and Declaration of Zoning is transmitted.
- 3. District Boundary Amendment and Change of Zoning Interest** — UH still intends to move forward with both the District Boundary Amendment and the Change in Zoning for Molokai Education Center.

Thank you for your patience while UH's attorneys complete the Unilateral Agreement and Declaration of Zoning and proposed amendments to the Conditions of Zoning.

Sincerely,

PBR HAWAII

Tom Schnell, AICP  
Vice President

## HLU Committee

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**From:** Tom Schnell <tschnell@pbrhawaii.com>  
**Sent:** Tuesday, October 31, 2023 12:55 AM  
**To:** Stacey L. Vinoray  
**Cc:** Tasha A. Kama; David Tamanaha; HLU Committee  
**Subject:** Molokai Education Center (HLU-11) Response Letter  
**Attachments:** 2023-10-30 Response to CM Kama (HLU-11).pdf

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Hello Councilmember Kama and Ms. Vinoray,

Attached is my written letter responding to Councilmember Kama's letter dated October 16, 2023, regarding District Boundary Amendment and Change In Zoning For Molokai Education Center (Kaunakakai) (HLU-11).

A printed copy has also been mailed to your office.

Please let me know if you have any questions or need additional information at this time.

Tom Schnell, AICP  
Vice President



**PBR HAWAII**

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[tschnell@pbrhawaii.com](mailto:tschnell@pbrhawaii.com)

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**From:** Stacey L. Vinoray <Stacey.Vinoray@mauicounty.us>  
**Sent:** Friday, October 27, 2023 8:39 AM  
**To:** Tom Schnell <tschnell@pbrhawaii.com>  
**Cc:** Tasha A. Kama <Tasha.Kama@mauicounty.us>; David Tamanaha <davidt@hawaii.edu>; HLU Committee <HLU.Committee@mauicounty.us>  
**Subject:** RE: Molokai Education Center (HLU-11)

Aloha Mr. Schnell,

Response received by HLU Committee.

Mahalo,  
Stacey



**Stacey Lee MB Vinoray**

Committee Secretary

County of Maui | Office of Council Services

Email: [stacey.vinoray@mauicounty.us](mailto:stacey.vinoray@mauicounty.us)

Office: (808) 270-7147 | Cell: (808) 419-4082

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**From:** Tom Schnell <[tschnell@pbrhawaii.com](mailto:tschnell@pbrhawaii.com)>  
**Sent:** Friday, October 27, 2023 12:00 AM  
**To:** HLU Committee <[HLU.Committee@mauicounty.us](mailto:HLU.Committee@mauicounty.us)>  
**Cc:** Tasha A. Kama <[Tasha.Kama@mauicounty.us](mailto:Tasha.Kama@mauicounty.us)>; David Tamanaha <[davidt@hawaii.edu](mailto:davidt@hawaii.edu)>  
**Subject:** Molokai Education Center (HLU-11)

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Hello Councilmember Kama and HLU Committee Staff,

In response to your letter dated October 16, 2023, regarding the District Boundary Amendment and Change in Zoning for Molokai Education Center (Kaunakakai) (HLU-11), I will respond with a written letter early next week but to answer your questions now see responses below:

1. *Does the University of Hawai'i anticipate transmitting an executed Unilateral Agreement and Declaration of Zoning? If yes, please let me know when to expect the transmittal.*

Yes, the University of Hawai'i (UH) will transmit an executed Unilateral Agreement and Declaration of Zoning. UH attorneys are working on the Unilateral Agreement and Declaration of Zoning and UH expects to be able to transmit it soon, but it is not certain when it will be transmitted. I would expect before the end of November.

2. *Does the University of Hawai'i plan on requesting amendments to the Conditions of Zoning? If yes, please let me know when to expect the request.*

Yes, UH's attorneys are working on requested amendments to the Conditions of Zoning. The requested amendments will be provided when the Unilateral Agreement and Declaration of Zoning are transmitted.

3. *If the answer to questions one and two are "no," is the University of Hawai'i no longer interested in pursuing the District Boundary*

UH still intends to move forward with both the District Boundary Amendment and the Change In Zoning For Molokai Education Center. Thank you for your patience while UH's attorneys complete the Unilateral Agreement and Declaration of Zoning and requested amendments to the Conditions of Zoning.

Tom Schnell, AICP  
Vice President



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**From:** Tom Schnell  
**Sent:** Monday, October 16, 2023 6:05 PM  
**To:** HLU Committee <[HLU.Committee@mauicounty.us](mailto:HLU.Committee@mauicounty.us)>  
**Cc:** Tasha A. Kama <[Tasha.Kama@mauicounty.us](mailto:Tasha.Kama@mauicounty.us)>; David Tamanaha <[davidt@hawaii.edu](mailto:davidt@hawaii.edu)>  
**Subject:** RE: Letter from Housing and Land Use Chair, Tasha Kama

Hello Councilmember Kama and HLU Committee Staff

Thank you for your letter. I know that the University of Hawai'i wants to move forward with the change in zoning and the district boundary amendment and have been working with their attorneys regarding the wording of the Unilateral Agreement and Declaration of Zoning.

However I am checking with David Tamanaha of UH (copied) regarding the specifics so that we may respond back to your letter with specific answers.

Tom Schnell, AICP  
Vice President



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**From:** HLU Committee <[HLU.Committee@mauicounty.us](mailto:HLU.Committee@mauicounty.us)>

**Sent:** Monday, October 16, 2023 4:53 PM

**To:** Tom Schnell <[tschnell@pbrhawaii.com](mailto:tschnell@pbrhawaii.com)>

**Cc:** Tasha A. Kama <[Tasha.Kama@mauicounty.us](mailto:Tasha.Kama@mauicounty.us)>; HLU Committee <[HLU.Committee@mauicounty.us](mailto:HLU.Committee@mauicounty.us)>

**Subject:** Letter from Housing and Land Use Chair, Tasha Kama

Aloha Mr. Schnell,

Please see attached letter from Councilmember Tasha Kama.

Mahalo,  
HLU Committee Staff