



## Current Planning Application Report (ZPA2022-00002)

**Plan Type:** CP Change of Zoning/General Plan Amendments/DBA

**Project:**

**App Date:** 08/09/2022

**Work Class:** Review

**District:** Kihei-Makena

**Exp Date:** NOT AVAILABLE

**Status:** In Review

**Square Feet:**

**Completed:** 11/14/2022

**Valuation:** \$500,000.00

**Assigned To:** Furukawa, Tara

**Approval  
Expire Date:** 11/14/22

**Description:** To change both the state district and the county zoning on approximately 14.6 acres of TMK 3-9-001:034. The state district is to be changed from Agriculture to Urban. The county zoning would be changed to match the community plan, from Rural to conditional Light Industrial.

<b>Parcel:</b> 2390010340000-30935	Main	<b>Address:</b> 454 Ohukai Rd Kihei, HI 96753	Main	<b>Zone:</b> X(Flood Zone: X) U(LUD Code: U) Urban(Maui Island Plan: Urban) 410(Zoning Class: M-1 Light Industrial) A(LUD Code: A) 600(Zoning Class: R Rural) 00_INLI(Community Plan: 00_INLI)
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Applicant  
William Spence  
P.O. Box 880267  
Pukalani, HI 96788

### Plan Custom Fields

#### I. Project Information

#### APPLICATION DOCUMENTS

Please use the below hyperlinks to open and/or download forms to be used while preparing and submitting your application.

#### Outline of ZPA Questions

You can use this outline to help navigate within the set of questions below and refer to any specific one.

#### Required Attachments for Change of Zoning

Upload all the listed documents in the "Attachments" section if you are requesting a Change of Zoning.

#### Required Attachments for CP and MIP amendments

Upload all the listed documents in the "Attachments" section if you are requesting an amendment to a Community Plan (CP) or the Maui Island Plan (MIP).

#### Required Attachments for a Land Use Commission DBA

Upload all the listed documents in the "Attachments" section if you are requesting a Land Use Commission District Boundary Amendment.

#### Sample of Basic Answers to Questions

You can review this first sample to help you frame less complex answers to all questions below except those in Section V. Most should be appropriate for a less complex application and/or project. Most sample answers are drawn from actual reports to Commissions.

#### Sample of Moderately Complex Answers to Questions

You can review this second sample to help you frame more complex answers to all questions below except those in Section V. Many should be appropriate for a more complex application and/or project. Most sample answers are drawn from actual reports to Commissions.

#### Sample Answers to Section V. Questions

You can review this third sample to help you frame answers to questions in Section V. Section V. is specific to only this particular type of application. The questions in the other two samples above are common to a variety of applications which require a public hearing by a County Commission.

#### Land Use Comm. Admin. Rules 15-15-18 thru 15-15-21

If you are requesting a Land Use Commission District Boundary Amendment, you will need to describe below how the applicable criteria from sections 15-15-18 through 15-15-21 of the Land Use Commission's administrative rules are met.

#### Notice of Application - ZPA

Fill out the Notice of Application and mail it out with a location map to all owners and recorded lessees within 500 feet of the subject project site property boundaries. Upload a copy in the "Attachments" section.

#### Notarized Affidavit of Mailing of Notice of App

After mailing out the Notice of Application, fill out the Affidavit, have it notarized, and upload it in the "Attachments" section.

#### Notice of Public Hearing

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Fill out the Notice of Public Hearing and upload it in the "Attachments" section. Do not mail it out until you are asked to do so later.

Notarized Affidavit of Mailing-Notice Public Hrng.

After mailing out the Notice of Public Hearing, fill out the Affidavit, have it notarized, and upload it in MAPPS.

Sample land use change map

Prepare a map of the subject property and its surrounding properties, including their Tax Map Key numbers and the proposed land use change, in a format designed to be printed on regular paper of 8 1/2" x 11". The map will not include the metes and bounds on it, nor signature lines or dates for any approvals. Upload it in the "Attachments" section.

You will have the opportunity to upload some attachments in batches in the "Attachments" section.

### QUESTIONS

If a question below does not apply to your project, enter NA as your answer and if the question requires a count, enter 0.

#### I. Project Information

##### A. GENERAL INFORMATION

1. Select one or more types of amendments or changes being requested

Change of Zoning, District Boundary Amendment

2. What other application(s) are you applying for related to this project?

None

3. Associated application number(s), if known

None

4. Is this application for a Maui County agency project?

No

5. Project Name

Ohukai Light Industrial Park

6. Total Area of Lot(s) - acreage of TMK parcel(s) where use is proposed

28.7

7. Project Site Area [Enter only if different from Total Area of Lot(s)] - sq. ft. of area where use is proposed.

14

8. Valuation of Project\*

500000

\* Total cost or fair market value, as estimated by an architect, engineer, or contractor licensed by the State of Hawaii Dept. of Commerce and Consumer Affairs; or, by the administrator of the Dept. of Public Works, Development Services Administration.

9. Physical Address/Location of Project

454 Ohukai Road, Kihei

10. Additional Location Information

11. Describe the Existing Use.

Vacant land, mango orchards, farm house

12. Briefly describe the Proposed Development/Use.

The project site is limited to the lower 14.626 acres of a larger 28.7 property. The proposed use is to develop 21 simple, leasable spaces to serve as baseyards for contractors, utilities, or government agencies. The spaces would range in size from 0.44 acres to 1.13 acres. Since simple storage is the goal, no buildings will be allowed for as long as the applicants own the property, but lessees may place shipping containers for security and weather protection. The DBA would be from Agricultural to Urban, the proposed zoning would be from Rural to conditional M-1 Light Industrial. The conditions are listed elsewhere.

13. No. of Parking Spaces now on the site

0

14. No. of Parking Spaces on the site after development

0

15. Building Permit Application No.

16. Has the proposed use or any work related to it already been started or completed for this project?

No

17. If (Y) describe after-the-fact use or work

None

##### B. DESCRIPTION OF THE PROJECT

1. List any amendment to text changes you are requesting for zoning conditions or plan wording.

(1) All of the uses in the M-1 Light Industrial District are permitted, but excluding those found in the B-1, B-2, and B-3 zoning districts.

(2) The floor area ratio is limited to 0.5.

(3) Building heights are limited to 35 feet except that vent pipes, fans, chimneys, antennae, and equipment used for small-scale energy or communications systems on roofs shall not exceed 10 feet above the building roof.

2. Provide a statement of the purpose and need for the proposed action.

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There are two important aspects to this project related to the South Maui community.

1. It is intended to meet the needs of the local community. Whereas light industrial space in Kihei is predominantly oriented to retail and other commercial uses, there is little "true" light industrial space available to small businesses needing light industrial land. This means contractors or other uses requiring light industrial lands must locate outside of the area they operate in and serve, incurring unnecessary commutes and storage costs. "Smart Growth" dictates that such services be in the area most served, resulting in more of a sustainable, self-sufficient community.

2. The project will also help to provide diversity in the local economy. Where South Maui is largely oriented to the visitor industry, providing light industrial land opens the doors to opportunity for small businesses that are oriented to the community. As the County looks for ways to diversify Maui's economy, providing this kind of land creates openings for an array of different businesses.

3. Describe the full scope of your project. Include, where applicable, but not limited to: use, length, width, height, building materials, floor area, and size of structures in square feet, project need, hours of operation, number of employees, proposed employee housing plan, construction costs, construction timeline, phases, landscaping, and area, depth, or volume of grubbing, grading, fill, and any other ground-altering activity such as utility installation.

There is insufficient space here to provide a full project description, it will be uploaded as a separate PDF

### C. DESCRIBE THE FOLLOWING SITE CONDITIONS

#### 1. Elevations (highest and lowest points)

140 and 100 msl

#### 2. Slopes

2.6

#### 3. Topography

flat

#### 4. Soil Types

Waiakoa extremely stony silty clay loam

#### 5. Natural Features

None

#### 6. Vegetation

Sparse, 94% non-native grasses and weeds. Those native species are not of a conservation concern, see uploaded floral and faunal survey.

#### 7. Existing Development

Vacant land, mango orchards, farm house

### D. LIST THE ADJACENT AND SURROUNDING LAND USES

#### 1. North

To the North on the other side of Ohukai Road are several single-family residential subdivisions. Most of these properties are zoned County Rural though some have been developed with lots smaller than one-half acre but are still zoned Agriculture (probably originating from an affordable housing project).

#### 2. East

To the East are agricultural lands that were recently in active production. While recently used for agriculture, they are well within the Urban Growth Boundary and designated for single-family housing in the Kihei-Makena Community Plan.

#### 3. South

A large MECO substation is contiguous with the property on the southern boundary. This facility is more than an acre in size and includes power poles of approximately 100 feet in height with high-voltage transmission lines stretching from Piilani Highway. Vacant properties to the South comprise approximately 86 acres within the State Urban District. These properties are also zoned light industrial under MCC 19.24 and were once proposed for a large shopping mall (Pi'ilani Promenade). That project is currently being redesigned.

#### 4. West

Immediately to the west are the Kihei Commercial Plaza, Kihei Gateway, and other commercial/light industrial business properties. These are zoned light industrial but were built under the stacking provisions of the code with no conditions to limit business uses. As a result, the properties have been developed with a mix of retail, office, condominiumized spaces, and other commercial uses alongside light industrial uses. At one time the Kihei Charter School occupied several spaces in this complex. The properties here are very busy and appear to be built to a maximum density. This type of development is likely the origin for the language in the community plan to limit the number of commercial uses with light industrial areas mauka of Pi'ilani Highway.

The applicants wish to avoid this type of intensive development and propose conditions on their zoning to make the project more compatible with the area.

### E. HISTORIC PROPERTIES CHECK/HRS 6E

#### 1. If any of the following apply, check this box

No

Does the site include a registered Historic property?

Does the property include any buildings/structures 50 or more years old?

Is there ground altering activity proposed?

#### 2. Is it in NHL?

No

#### 3. County Historic District?

No

### F. CHAPTER 343, HRS (HAWAII ENVIRONMENTAL POLICY ACT) COMPLIANCE

#### 1. If any of the following apply, check this box

No

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Is there a Chapter 343 trigger?

Has an EA or EIS already been submitted?

Is the project exempt under Chapter 343?

## II. Plan Consistency & Impacts

A. SELECT THE RELEVANT THEMES, GOALS, OBJECTIVES, AND POLICIES FROM THE COUNTYWIDE POLICY PLAN AND DESCRIBE HOW YOUR PROPOSAL IS OR IS NOT CONSISTENT WITH THEM. WHERE IT IS NOT CONSISTENT, DISCUSS WHY YOUR PROPOSAL IS JUSTIFIED. You may also list and discuss any other section of the plan that is relevant to the proposed request. Consult the relevant goals, objectives, policies, and implementing actions of the Countywide Policy Plan for guidance.

Countywide Policy Plan Details Form

B. SELECT THE RELEVANT CORE VALUES, GOALS, OBJECTIVES, POLICIES, AND IMPLEMENTING ACTIONS (CH. 1-7) FROM THE MAUI ISLAND PLAN AND THE DIRECTED GROWTH PLAN (CH. 8) AND DESCRIBE HOW YOUR PROPOSAL IS OR IS NOT CONSISTENT WITH THEM. WHERE IT IS NOT CONSISTENT, DISCUSS WHY YOUR PROPOSAL IS JUSTIFIED. You may also list and discuss any other section of the plan that is relevant to the proposed request. Consult the goals, objectives, policies, implementing actions, and Table 8-2 in Chapter 8 of the Maui Island Plan for guidance.

Core Values: To achieve our island's vision, we will be guided by the following values: a) Adopt responsible stewardship principles by applying sound natural resource management practices. b) Respect and protect our heritage, traditions, and multi-cultural resources. c) Plan and build communities that include a diversity of housing. d) Retain and enhance the unique identity and sense of place. e) Preserve rural and agricultural lands and encourage sustainable agriculture. f) Secure necessary infrastructure concurrently with future development. g) Support efforts that contribute to a sustainable and diverse economy for Maui. h) Create a political climate that seeks and responds to citizen input. i) Respect and acknowledge the dignity of those who live on Maui. j) Establish a sustainable transportation system that includes multiple modes, including walking, biking, and mass transit, as well as automobile-based modes. k) Recognize and be sensitive to landownership issues and work towards resolution.

Maui Island Plan Details Form

2. If your request or project falls within a Maui Island Plan Protected Area, address how your project or proposal impacts the Protected Area. Discuss any mitigation measures intended to protect the area. Consult the Protected Area Diagrams and Table 8-2 in Chapter 8 of the Maui Island Plan for guidance. If your request does not fall within a Maui Island Plan Protected Area, answer N/A.

N/A

3. If your request or project falls within a Maui Island Plan Growth Boundary, address how your project is consistent with Chapter 8 of the Maui Island Plan, Directed Growth chapter. If your project falls within (affects) a Planned Growth Area, address how your project is consistent with the Planned Growth Area description in Chapter 8. Consult Chapter 7 and 8 of the Maui Island Plan for guidance. If your request does not fall within a Maui Island Plan Growth Boundary, answer N/A

The project site is within the Urban Growth Boundary of Kihei. It is located just below the Kihei Mauka project, about halfway between the ocean and the mauka limits of the boundary.

C. SELECT THE RELEVANT SUBJECTS, GOALS, OBJECTIVES AND POLICIES, AND IMPLEMENTING ACTIONS FROM THE RELEVANT COMMUNITY PLAN AND DESCRIBE HOW YOUR PROPOSAL IS OR IS NOT CONSISTENT WITH THEM. WHERE IT IS NOT CONSISTENT, DISCUSS WHY YOUR PROPOSAL IS JUSTIFIED. You may also list and discuss any other section of the applicable community plan that is relevant to the proposed request. Community plan areas are defined by geographic boundaries. Consult the relevant goals, objectives, policies, and implementing actions in the relevant Community Plan for guidance.

Community Plan Details Form

D. DESCRIBE HOW YOUR PROPOSAL IS CONSISTENT AND CONFORMING WITH EACH OF THE APPLICABLE FOLLOWING TYPES OF MAPPED LAND USE DESIGNATIONS FOR THE SITE:

### 1. State Land Use Districts

There is insufficient space here to provide a full analysis of how the proposed project is consistent with the Urban District. A separate PDF will be uploaded.

### 2. Maui Island Plan Growth Boundaries

The project site is within the Urban Growth Boundary of Kihei. It is located just below the Kihei Mauka project, about halfway between the ocean and the mauka limits of the boundary.

(N/A if project on Molokai or Lana'i )

### 3. Maui Island Plan Protected Areas

N/A

(N/A if project on Molokai or Lana'i )

### 4. Community Plan Land Use Designations

The property is designated Light Industrial in the current Kihei Makena Community Plan, the proposed zoning is for conditional M-1 Light Industrial consistent with this designation. The requested zoning is also consistent with the different policies of the plan to limit commercial uses and limit heights.

### 5. Zoning Designations

There is insufficient space here to provide an analysis for consistency and conformity with the proposed zoning. A separate PDF will be provided.

In brief, the proposed zoning is for conditional M-1 Light Industrial. The conditions include:

(1) All of the uses in the M-1 Light Industrial District are permitted, but excluding those found in the B-1, B-2, and B-3 zoning districts.

(2) The floor area ratio is limited to 0.5.

(3) Building heights are limited to 35 feet except that vent pipes, fans, chimneys, antennae, and equipment used for small-scale energy or communications systems on roofs shall not exceed 10 feet above the building roof.

## DEVELOPMENT IMPACTS

E. ARCHAEOLOGICAL, HISTORICAL, AND CULTURAL RESOURCES IMPACTS:

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## 1. Describe any archaeological impacts.

Existing Conditions: The project site has been greatly disturbed due to prior decades of agricultural activities. The site exhibits agricultural push-piles of boulders and rocks, some approximately 300 feet long and eight feet in height. Because of this disturbance, the applicants believe there is little chance of any cultural sites remaining. Accordingly, they submitted an HRS 6E form to the State Historic Preservation Division (SHPD) on January 14, 2022. The form included a location map, a site plan, photographs of existing conditions, and a narrative describing the site and its history. A copy of the 6E form w/attachments will be uploaded as a separate PDF.

On January 28, 2022, SHPD responded that they would require a field survey. As of this application, the survey has been submitted to SHPD and is in the review process.

### Potential Impacts and Mitigation Measures:

Considering the property has been greatly altered as evidenced by the bulldozed agricultural push piles, it is unlikely that any cultural deposits are on the subject property. The applicants, however, will await the review and recommendations by SHPD.

The applicant understands that under Section 6E-43.6, Hawai'i Revised Statutes (HRS) and Chapter 13-300, Hawai'i Administrative Rules (HAR), if any significant cultural deposits or human skeletal remains are encountered, work will stop in the immediate vicinity and SHPD will be contacted to establish the appropriate protocols and level of mitigation.

## 2. Describe any impacts on historic resources.

There are no known historic resources on the property.

## 3. Describe any impacts on cultural resources.

There is insufficient space here to disclose a full discussion of the cultural assessment, research, and interviews. A separate document will be uploaded to discuss this topic, as well as a copy of the cultural assessment completed for the project.

## 4. List any comments/recommendations received from State Historic Preservation Division.

A 6E form was submitted to the State Historic Preservation division on January 14, 2022. Our understanding is they will review and comment once this application is filed.

## F. SOCIO ECONOMIC IMPACTS

### 1. Identify social and economic impacts (such as the need for affordable housing, impacts on population, impacts on labor, local economy, etc.).

D10 from 19.510 asks several specific questions, including increases in property value, populations, housing, community services, employment and secondary jobs, compatibility with surrounding uses. There is insufficient room in this space to provide a complete answer. A separate PDF will be uploaded.

## G. ENVIRONMENTAL IMPACTS

### Describe any impacts to the following:

1. Environmentally Sensitive Areas, including shoreline, wetlands, streams, other fresh waters, estuaries, coastal waters, sea level rise exposure area, other erosion prone areas, geologically hazardous land, tsunami zone, flood plain, rock outcroppings, endangered plants and animals and exceptional trees. For proposals on Maui Island, consult the Protected Area sections in Chapter 8 of the Maui Island Plan (MIP) and discuss how the area will be protected from adverse actions. Include any mitigation measures if applicable. Please consult Table 8-2 in the MIP for guidance.

There are no known environmentally sensitive areas located on the project site. The property is located in Flood Zone X, is approximately 1,500 feet mauka of the Extreme Tsunami Evacuation Zone, and is approximately 3,000 feet from the 3.2 Sea Level Rise Exposure area. A flora and fauna survey was conducted by biologist Robert Hobdy in May 2020, there were no threatened, endangered, plants or animals on the site, nor was their suitable habitat for them. There are no streams, dunes, estuaries, rock outcroppings, or flood plains on the property.

### 2. View corridors and scenic resources impacts

The project area is located within urbanized Kihei. On the makai side of the subject property are the multiple commercial and light industrial buildings of Kihei Commercial Plaza. The neighborhoods to the North have been developed mostly from the 1980s and 1990s and include a mixture of one and two-story homes.

The Pacific Ocean is approximately 3,500 feet away, and it is not visible from the site. A portion of Kaho'olawe is visible, but the view would not be considered significant, particularly when viewing through the Maui Electric power poles and lines on the Southern boundary of the property. Haleakala is visible in a mauka direction from the site.

The project site itself is currently vacant and open and mostly covered with a variety of non-native grasses and plants. The large agricultural push-piles are readily visible. Please see photographs of the site.

As to mitigation measures, the development of the property will not change scenic public views, but it will change the appearance of the site itself. Some may find the appearance of light industrial storage areas objectionable.

The Kihei Community Association recommended that a "green" buffer of trees and vegetation at least 20 feet in depth be established along Ohukai Road. In relation to this section, it would provide a true visual screen along the roadway.

The applicants agree with this recommendation as it would provide visual relief from the storage activities on the subject. The Hayes have already incorporated this recommendation into their site plan.

### 3. Flora impacts

A flora and fauna study was conducted by biologist Robert Hobdy. in May 2020. He found that 94 percent of the plants on the property were non-native, and those sparse native species are of no conservation concern. A copy of the study will be uploaded.

### 4. Fauna impacts

A flora and fauna study was conducted by biologist Robert Hobdy. in May 2020. He found only evidence of domestic animals, as well as Axis deer, goats. Neither Blackburn's sphinx moth was found, nor the plants they prefer. No native birds were seen or detected. An evening study was conducted for the Hawaiian hoary bat utilizing an electronic bat detector in two locations, no bats were detected. The study will be uploaded as a separate PDF

### 5. Dune ecosystems impacts



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There are no dunes on the subject property or anywhere nearby.

### 6. Stream ecosystems impacts

There are no stream eco systems

### 7. Marine ecosystem impacts

The subject property is approximately 3,500 feet from the shoreline, more than one-half mile. No impacts are anticipated with regards to marine ecosystems.

### 8. Natural features impacts

The property has been bulldozed many times as evident by the many agricultural pushpiles from decades of farming. There are no natural features on the property remaining.

### 9. Open space impacts

Open spaces are generally thought of as spaces at least visually accessible to the general public that offer relief from a busy or crowded urban setting. The site itself appears like a former farm with miscellaneous grasses and weeds growing on it. The agricultural push-piles are not natural and some may find them unsightly. There are no significant views from Ohukai Road across the property to the ocean. It is bounded on the West by an active commercial/light industrial project, and to the south by a large MECO transformer substation featuring 100 foot towers with high voltage transmission lines. No impacts are anticipated with regard to open space or visual resources.

### 10. Noise Impacts

In an urban environment, noise is due primarily to vehicular traffic, air traffic, heavy machinery, heating, ventilation, and air-conditioning equipment. Noise levels in the vicinity of the project area are moderate, but primary sources are from traffic emanating from the adjacent Kihei Commercial Plaza and nearby Pi'ilani Highway. Other sources would include those from normal residential uses in the area.

As with air quality, ambient noise conditions will have temporary impacts due to construction activities. Heavy construction equipment, such as bulldozers, front-end loaders, dump trucks and trailers, will be the dominant source of noise during site construction.

To minimize construction-related impacts on the surrounding neighbors, the developer will limit construction activities to normal daylight hours, and adhere to the Department of Health's Administrative Rules, Chapter 11-46, Community Noise Control, as well as BMPs required by the County.

On a longer-term basis, some noise would be generated from traffic entering and exiting the subject project site. The vehicles, however, are expected to maintain a slow speed within the area. This is due to the relatively short distances from the project roadway to Pi'ilani Highway.

As noted above, the Kihei Community Association recommended a "green" buffer of trees at least 20-feet wide be established along Ohukai Road. Besides the noted dust mitigating benefits, the buffer is also intended to absorb noise and prevent it from traveling off site to the area neighborhoods. The applicant intends to follow this recommended mitigation measure and has incorporated it into their project design. Please see an uploaded copy of their letter.

### 11. Air Quality Impacts

The ambient air quality in Kihei is considered relatively good and is attributed in part to the relatively consistent trade winds that quickly disperse concentrations of emissions. What air pollution there is in the Kihei area results from both natural and man-made sources. Man-made sources include agricultural activities upwind of the project site, as well as industrial sources (e.g., power plants), and vehicular traffic. Natural sources include windblown dust.

Temporary impacts to air quality may be expected during construction, particularly with ground alteration. Airborne particulates, including dust, may be generated during site preparation and construction activities.

These ground-altering activities are regulated by MCC 20.08, Soil Erosion and Sedimentation Control and a grading and/or grubbing permit must be issued before work begins on the site. When a permit is granted by the Department of Public Works, best management practices (BMPs) are specified that will minimize impacts during construction. There are "minimum" BMPs required for all permits that pertain to drainage, dust, erosion control, and other mitigating measures. Project-specific BMPs may be imposed and include regular watering, the erection of dust fences around the construction site, and limiting the area of disturbance at any one time. Long term, the project is not anticipated to have an impact on local or regional air quality.

In addition, one of the recommendations of the Kihei Community Association is for a "green" buffer of trees at least 20-foot wide to be established along Ohukai Road. There are several reasons for this buffer but notable in relation to air quality is the vegetation will cut back on dust. The applicant intends to follow this recommended mitigation measure and has incorporated it into their project design. Please see an uploaded copy of the KCA's letter.

### 12. List any comments/recommendations received from government agencies.

There are no agency comments yet, we will look forward to their review of these applications.

## H. OTHER IMPACTS, MEETINGS, APPROVALS AND ZONING

### 1. Describe any other impacts.

N/A, potential impacts are described in the of boxes here.

### 2. List the dates of any community meetings held regarding the project and summarize the feedback. Have your neighbors been made aware of your project and what has been their general feedback?

There is insufficient space here to fully describe the interactions with the community and neighbors. A separate PDF will be uploaded. In brief however, the applicants discussed the project with the Kihei Community Association, they provided feedback by letter dated June 19, 2021 with recommendations that have been applied to the project. The applicant's consultant also reached out twice to area neighbors. The first was a letter sent to 197 owners within 500 feet of the larger, unsubdivided parcel (meaning some properties are more than 500 feet from the project area). Several calls were received by the owners in support. The applicant's consultant received two calls in opposition. The applicants incorporated some of their concerns into the project, most importantly regarding access in and out of the project site. The second outreach was a virtual meeting where all of the neighbors were invited and an invitation was published in the Maui News. Twenty three persons attended and 32 comments were received. One concern was in regard to possible drips or spills. The applicants consulted with their civil engineer and are going to write some BMPs into their lease agreements and require concrete pads for those lessees who will maintain equipment on the site.

### 3. If applicable, provide an assessment of the impact the proposed use may have on agricultural use of the property with comments from the Department of Agriculture (DOA) and Natural Resources Conversation Service (NRCS).

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N/A

4. Identify other governmental approvals that the development will be subject to.

Grading permit, NPES permit, building permits, plumbing permits, MECO approvals

5. Describe the relationship of the proposed project to the Maui County Code Title 19, Zoning Code.

As with IID5, there is insufficient space to provide an analysis for consistency and conformity with the proposed zoning. A separate PDF will be provided.

In brief, the proposed zoning is for conditional M-1 Light Industrial. The conditions include:

(1) All of the uses in the M-1 Light Industrial District are permitted, but excluding those found in the B-1, B-2, and B-3 zoning districts.

(2) The floor area ratio is limited to 0.5.

(3) Building heights are limited to 35 feet except that vent pipes, fans, chimneys, antennae, and equipment used for small-scale energy or communications systems on roofs shall not exceed 10 feet above the building roof.

6. Describe the relationship of the proposed project to any other relevant regulatory controls, best management practices, policies, plans, technical studies, guidelines, or studies.

While not regulatory controls, the applicants have modified their project with the feedback they have received during public outreach. The modifications include:

- A 20-foot "green" buffer of trees and vegetation will be located next to Ohukai Road and will have multiple purposes as identified by the Kihei Community Association (KCA).

- Downward shielded lighting, also recommended by the KCA, will avoid glare into neighboring properties. It will also avoid impacts to birds possibly flying through the area at night. Shielded lighting is already required per Title 20 of the Maui County Code, but the applicants will comply with the regulations in place at the time of approval.

- The project entrance will not have an automated gate, but the entrance will be open, the same as a regular "T" intersection with a stop sign. This measure comes from discussions with a few area neighbors in order to smooth traffic in and out of the project site.

- Best Management Practices will be written into lease agreements to control, among other things, the possibility of leaks from equipment.

## III. Infrastructure

### A. WATER

1. Identify existing water source and current usage.

According to the Preliminary Engineering Report, the project area is served by a 2-million gallon water tank at a 220 foot elevation, and a 16-inch water line under Ohukai Road. The property is served by a 5/8-inch and a 1-inch water meters. Current usage is limited to watering the mango orchards and domestic use.

2. Describe any water transmission lines currently serving the site.

The project area is served by a 2-million gallon water tank at a 220 foot elevation, and a 16-inch water line under Ohukai Road.

3. Describe the adequacy of the water supply to meet fire protection requirements.

Fire protection will be via a private system with an 8-inch line dedicated for fire protection only. It will include a double-check backflow preventer built to county standards. The fire flow requirement is 2,000 gpm, hydrants will be spaced at 250 feet or otherwise as required by code.

4. Describe any anticipated increase in water demand and if necessary, any subsequent improvements.

The applicant will be installing a smaller domestic line during construction of the project so the roadway will not have to be dug up at some time in the future. It will be fed by the 1-inch meter.

Water consumption is not anticipated to increase over current conditions since the proposed use is for storing materials and equipment. Individual lessees may opt for a water connection from the domestic line, but that would be for limited purposes.

5. List any comments/recommendations received from government agencies.

There are no agency comments yet, we will look forward to their review of these applications.

### B. SEWERS

1. Identify existing sewage service (treatment plants, transmission lines, etc.).

At the southwest corner of the property is an 8-inch county wastewater line. It connects to the county of Maui Wastewater Reclamation Division system which flows to the Kihei Wastewater Reclamation Facility.

2. Identify current wastewater usage.

There is currently no wastewater use.

3. Describe any anticipated increase in wastewater demand and if necessary, any subsequent improvements.

As the purpose of the project is to provide simple yard space for storage, the applicant's are not going to provide wastewater hookups to each leased space. Each tenant will be expected to provide their own porta potties and wash stations, to be serviced by pumping services.

The applicants will, however, install an 8-inch wastewater line during construction with stub-outs to each of the leased spaces. The purpose of this line is in anticipation of possible uses in the future and to avoid digging up the road at that time.

4. List any comments/recommendations received from government agencies.

There are no agency comments yet, we will look forward to their review of these applications.

### C. DRAINAGE

1. Describe existing drainage pattern.

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According to the Preliminary Engineering Report (to be uploaded) the property currently sheet flows across the property in a northeast to southwest direction. In a 50-year, 1-hour event, runoff from the project site is 40.18 cubic feet per second and a corresponding runoff volume of 32,949 cubic feet.

### 2. Describe existing drainage structures.

There are no drainage structures on the subject property. There is however, a 15-foot drainage easement with a 42-inch storm drain on the makai adjoining property. The applicant intends to tie into this facility.

### 3. Describe any anticipated increase in drainage and if necessary, any subsequent improvements.

The project's drainage system will be designed to accommodate the change in stormwater flow generated by the development of the entire project site. It is estimated that the post development 50-year, 1-hour runoff from the project site is 62.3 cubic feet per second (cfs) and the corresponding runoff volume is 56,109 cubic feet. A retention basin with a minimum of 23,160 cubic feet (858 cubic yards) of storage will be constructed at the southwest corner of the developed portion of the property to accommodate the increase in runoff generated from the development. In addition, an additional basin will be located at the Northwest corner of the property to contain not only runoff generated on the property but that which runs off of the public right of way on Ohukai Road and onto the subject property. The volume of that basin is anticipated to be 237 cubic yards. Please see the Preliminary Drainage Report in the Preliminary Engineering Report.

### 4. Describe any flood hazard impact.

As noted in G1 above, the property is located in Flood Zone X according to FEMA panel 1500030580F. With the installation of the two basins and following the Rules for the Design of Storm Drainage Facilities in the County of Maui, no impacts are anticipated with regard to flood hazards.

## D. ROADWAYS, CURBS, GUTTERS AND SIDEWALKS

### 1. Describe existing roadway conditions including width of right-of-way, pavement width, improvements such as curbs, gutters, sidewalks, deceleration/acceleration lanes.

The subject property is located along Ohukai Road, a two-lane County collector roadway with an existing right of way of 60-feet. Pavement width at the project entrance is approximately 35 feet, with two travel lanes and a center hatched area. Ohukai Road does not have curbs or sidewalks fronting the property.

### 2. Describe existing and proposed ingress and egress into and from the site.

The project will have a central roadway with a 35 foot right of way and 20 feet of pavement. The intersection at Ohukai Road will be in a standard "T" configuration. The cul de sac will have an edge of pavement of 40 feet, and a right of way of 50 feet.

The entrance to the property will not be gated per input of area neighbors so vehicles may more freely to and from the project site. The concern with an automated security gate was that vehicles of all sizes would have to queue on Ohukai Road, thus causing delays and hazard to the area neighbors.

### 3. Describe any proposed roadway condition improvements.

We anticipate comments from Public Works in relation to any roadway improvements.

### 4. Comprehensively describe traffic impacts in and around the project site.

There is insufficient space here to discuss traffic. A separate narrative and a separate traffic impact study will be provided as separate uploads.

### 5. List any comments/recommendations received from Department of Public Works or State DOT.

We anticipate comments from Public Works and State DOT with the submittal of these applications.

## E. ELECTRICAL, TELEPHONE AND CABLE

### 1. Describe existing and proposed utilities.

Electrical and telecommunication services are available on Ohukai Road via overhead lines on the South side of the road. The project will extend these services through the property also by overhead lines.

## F. SOLID WASTE

### 1. Solid Waste Landfill Site

Central Maui Sanitary Landfill in Puunene

### 2. Solid Waste Facilities Adequacy

The Central Maui Sanitary landfill has a capacity of approximately 178,000 cubic yards.

### 3. Describe your plans for solid waste disposal and recycling.

Since future lessees of the project baseyards are not residential in nature, solid waste disposal will either be by a private, commercial waste hauler, or tenants will dispose of wastes in accordance with all applicable laws.

Recycling of materials will be strongly encouraged to the lessees. Recyclables could be in the form of typical curbside materials or may be in the form of excess or scrap wood, metals, or other materials.

### 4. List any comments/recommendations received from government agencies.

There are no agency comments yet, we will look forward to their review of these applications.

## G. OTHER

### 1. Describe any other infrastructure requirements

## IV. Public Services

### A. PARKS

#### 1. List any County or other local community/recreational facilities that serve your site.

The project area is serviced by a number of community facilities and public parks. These may include the Kihei Aquatic Center, the Kihei Community Center, Kalepolepo Beach Park, Kamaole Beach Parkes I, II, and III, Mai Poina Beach Park, and others.

#### 2. Select the State community/recreational facilities that serve your site.

Makena State Park

#### 3. Identify any impacts of your proposed project to those facilities.



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As the proposed project is light industrial in nature, recreational facilities are not relevant to this project. It will not result in any changes in population or to the visitor industry that would result in an increase or decrease in users of these facilities.

4. Describe any additional public facility requirements to serve your site.

### B. SCHOOLS

1. Select the Public School Facilities which serve your site.

Kihei Schools

2. Identify any impacts of your proposed project to those facilities.

The proposed project is light industrial in nature and is not anticipated to have any impact to public or private schools because it will not result in an increase of population.

### C. PUBLIC SERVICES

1. Select the fire station that serves your area.

Kihei Fire Station next to Kalama Park, Wailea Fire Station

2. Describe the fire protection for your site.

Fire protection will be via a private system with an 8-inch line dedicated for fire protection only. It will include a double-check backflow preventer built to county standards. The fire flow requirement is 2,000 gpm, hydrants will be spaced at 250 feet.

3. Select the library that serves your area.

Kihei Public Library near Kalama Park

4. Select the police station that serves your area

Kihei Police Station

5. Select the hospital that serves your area.

Maui Memorial Medical Center - Wailuku

6. Describe any additional public services to serve your site.

### V. Other Info-Code, DBA & MBA

#### A. PROVIDE THE OTHER BELOW INFORMATION REQUIRED BY ZONING CODE SECTION 19.510.010

1. A detailed land use history of the subject parcel(s) to include former and existing state and county land use designations, violations, and uses.

According to oral histories in the Cultural Impact Assessment, the Hashimoto family cultivated the property from the 1940s until 2011. Their property at the time was much larger than the subject property and it extended below what is now Piilani Highway, it is therefore difficult to pinpoint all of the locations where farming occurred and when it started and stopped. A 1951 aerial photograph shows a limited amount of agriculture further mauka. A 1965 aerial clearly shows the subject property and the push-piles. The family grew mangos, tomatoes, watermelon, cucumbers, zucchini, oranges, and grapefruit.

The State Land Use Law (Chapter 205, Hawai'i Revised Statutes) was adopted in 1961, establishing a framework of land use management and regulation in which all lands in the State of Hawai'i are classified into one of four land use districts. The subject property was placed within the State Agricultural District.

Maui County adopted a Comprehensive Zoning Code in 1960 with Ordinance 286. Land Zoning Map 5, zoning all Kihei, was adopted in 1969. The subject property shows on that map as "Rural."

The original community plan, adopted July 1985, designated the property as SF for single family residential. The current Kihei Makena Community Plan, adopted by the County Council in 1998, redesignated the property as Light Industrial.

The three designations, State, Community Plan, and County zoning, conflict with each other, requiring that both the state district and county zoning be changed in order to follow the community plan.

Looking into the near future, the Kihei Makena Community plan is being revised by the Maui Planning Department and is rebranded as the South Maui Community Plan. As previously described, the Maui Planning Department has produced four growth alternatives. On each, the subject property is designated for "Employment Center," the definition of which includes light industrial uses.

2. An analysis of secondary impacts of the proposed use on surrounding uses.

The only place 19.510 requests analysis of secondary impacts is 19.510.010.D.10. This is covered in II F 1 above. As with the previous box, there is insufficient room in this space to provide a complete answer. A separate PDF will be uploaded.

3. Identify any traditional beach and mountain access trails and additional trails which may be required for public access, and, if applicable, a preservation/mitigation plan and comments from the Department of Land and Natural Resources and the Office of Hawaiian Affairs.

The property was cultivated for several decades, evidence of bulldozing the site is evident in the large stone push-piles and old windbreaks. A cultural impact assessment was conducted for the project, the research and interviews did not reveal any mention of traditional trails. If any traditional trails ever existed, the former agricultural uses and the urbanization of the surrounding properties have erased any evidence.

4. Identify and provide an assessment of chemicals and fertilizers used, including, but not limited to, detailing effects upon surface, underground and marine water resources and neighboring properties and surrounding flora and fauna, and if applicable, a mitigation plan and maintenance program and schedule, and comments from the Departments of Health and of Land and Natural Resources of the State, the United States Fish and Wildlife Service, and the United States Environmental Protection Agency.

Chemicals used on the property would mostly fall into those used for the historic agricultural uses. There are no longer any records of what chemicals or fertilizers were used. Although it is reported that agriculture ceased on the project site in 2011, dated aerial photographs suggest it may have ceased on the project area before 2008.

### B. DISTRICT BOUNDARY AMENDMENTS

1. For District Boundary Amendments, describe how the applicable criteria from sections 15-15-18 through 15-15-21 of the Land Use Commission rules are met.

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As with II D 1 above, there is insufficient space here to provide a full analysis of how the proposed project is consistent with the Urban District. A separate PDF will be uploaded

### C. Maui Island Plan Amendments

Complete this section if your project requires a Maui Island Plan Amendment. Review the Guiding Land Use Principles below for their relevance to your project and describe how your project supports each relevant principle. If your project does not require a Maui Island Plan Amendment, go on to the next section.

CRITERIA FOR GROWTH BOUNDARY AMENDMENTS. SELECT THE RELEVANT LAND USE PRINCIPLES FROM CHAPTER 8, DIRECTED GROWTH PLAN OF THE MAUI ISLAND PLAN AND DESCRIBE HOW YOUR PROPOSAL SUPPORTS AN AMENDMENT TO A GROWTH BOUNDARY. WHERE IT DOES NOT SUPPORT A GUIDING LAND USE PRINCIPLE, DISCUSS WHY YOUR PROPOSAL IS JUSTIFIED. Consult the land use principles, themes, goals, policies and implementing actions of the Maui Island Plan for guidance. Review chapters 7 and 8, the Planned Growth Areas in chapter 8, and Table 8-2 in chapter 8 of the Maui Island Plan to help you answer how your project addresses each land use principle below.

#### Guiding Land Use Principles

1. Respect and encourage island lifestyles, cultures, and Hawaiian traditions: The culture and lifestyle of Maui's residents is closely tied to the island's beauty and natural resources. Maintaining access to shoreline and mountain resources and protecting culturally significant sites and regions perpetuates the island lifestyle and protects Maui's unique identity. One of the most vital components of the island lifestyle and culture is Maui's people. In an island environment where resources are finite, future growth must give priority to the needs of residents in a way that perpetuates island lifestyles.
2. Promote sustainable land use planning and livable communities: Managing and directing future growth on Maui should promote the concept of sustainability, and the establishment of livable communities. Sustainable practices include: 1) Focusing growth into existing communities; 2) Taking advantage of infill and redevelopment opportunities; 3) Promoting compact, walkable, mixed-use development; 4) Revitalizing urban and town centers; 5) Providing transportation connectivity and multimodal opportunities; 6) Protecting and enhancing natural and environmental resources; 7) Protecting, enhancing, and expanding communities and small towns, where appropriate; and 8) Encouraging energy and water-efficient design and renewable energy technology.
3. Keep "urban-urban" and keep "country-country": Given the high cost of developing public infrastructure and facilities to service remote areas, the significant environmental and social impacts associated with long vehicle commutes, and the desire to "keep the country-side country" it is preferable to develop compact communities and to locate development within or as close as possible to existing urban areas and employment centers.
4. Protect traditional small towns: Development within and adjacent to Maui's traditional towns should be compatible with and perpetuate their unique character. Hard edges should be maintained around new and existing communities through the use of greenbelts and significant open space.
5. Protect open space and working agricultural landscapes: In light of continuing urbanization, the protection of agricultural and open-space resources will depend on a healthy agricultural industry and progressive planning and regulation. Planning should utilize agricultural lands as a tool to define the edges of existing and planned urban communities, apply innovative site design, create buffers along roadways, provide visual relief, and preserve scenic views.
6. Protect environmentally sensitive lands and natural resources: Environmentally sensitive lands, natural areas, and valued open spaces should be preserved. Native habitat, floodways, and steep slopes should be identified so future growth can be directed away from these areas. It will be important to plan growth on Maui in a manner that preserves habitat connectivity, watersheds, undeveloped shoreline areas, and other environmentally sensitive lands.
7. Promote equitable development that meets the needs of each community: Each region of the island should have a mix of housing types, convenient public transit, and employment centers. Where appropriate, all neighborhoods should have adequate parks, community centers, greenways, libraries, and other public facilities. No community should have a disproportionate share of noxious activities. Additionally, a fair, efficient, and predictable planning and regulatory process must be provided. A cornerstone of equitable development should reflect a focus on providing affordable housing for all of Maui's residents over developing nonresident housing.
8. Plan for and provide efficient and effective public facilities and infrastructure: Many of Maui's public infrastructure systems and facilities were constructed decades ago and are in need of repairs and upgrades to meet current and future demand. Growth should be planned for areas with existing infrastructure, or where infrastructure can be expanded with minimal financial burden to the public. Transportation infrastructure should be designed to be in harmony with the surrounding area.
9. Support sustainable economic development and the needs of small business: Land use decisions should promote and support sustainable business activities.
10. Promote community responsibility, empowerment, and uniqueness: The development of community plans should be a broad-based, inclusive process. The community plans shall be reviewed by the Community Plan Advisory Committees, the planning commissions, and approved by the Council. The MIP shall provide a framework for the updated community plans. Subsequent proposed community plan amendments should be subject, as much as possible, to local community input.

### VI. Long Range Planning\_Info

#### A. PERMITS REQUESTED

##### 1. What Permits Are You Applying For?

District Boundary Amendment from Agricultural to Urban, Change of Zoning from Rural to conditional M-1 Light Industrial

#### B. RESIDENTIAL PROJECTS

##### 1. How many single-family units?

0

##### 2. Will any accessory dwellings be permitted?

No

##### 3. If yes, how many?

0

##### 4. How many multi-family units are you building?

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0

5. Are you subdividing your property?

Yes

6. If yes, how many buildable lots are you requesting to create?

2

7. How many acres, or square feet, is the project site?

28.7

8. If only a portion of the property is going to be used for this project, how many acres or square feet will be used just for the project?

14.676

### C. LAND USE ENTITLEMENTS

Will This Project Require Land Use Amendments? (Check All That Apply)

1. Change of Zoning (COZ)

Yes

2. Change of Zoning (COZ) From:

Rural

3. Change of Zoning (COZ) To:

conditional M-1 Light Industrial

4. Community Plan Amendment

No

5. Community Plan Amendment From

N/A

6. Community Plan Amendment To:

N/A

7. State Land Use District Boundary Amendment

Yes

8. State Land Use District Boundary Amendment From:

Agricultural

9. State Land Use District Boundary Amendment To:

Urban

10. Maui Island Plan Designation Change

No

11. Maui Island Plan Designation Change From:

N/A

12. Maui Island Plan Designation Change To:

N/A

13. Will you be selling any of the units as "affordable" as defined under HUD guidelines?

No

14. If yes, how many units, or percentage of units will fall under this category?

0

15. From the date of filing the application with the Planning Dept, how long do you estimate the project to reach complete build-out?

0-5 years

### D. INDUSTRIAL / COMMERCIAL PROJECTS

WILL THIS PROPERTY BE USED FOR: (List all that apply by providing the square footage proposed)?

1. Retail Purposes

As the purpose of the project is to provide simple, leasable open storage space, there will be no retail uses on the site. Further, the applicants propose to eliminate the B-1, B-2, B-3 uses from the list of permitted uses by adding a condition of zoning.

2. Office Space/Lease

As the purpose of the project is to provide simple, leasable open storage space, there will be no office uses on the site. Further, the applicants propose to eliminate the B-1, B-2, B-3 uses from the list of permitted uses by adding a condition of zoning.

3. Industrial Purposes

14.626 acres or 637,108.56 square feet. The goal is simple, leaseable open storage space for contractors, utilities, or government agencies.

### E. BED AND BREAKFAST (B&B), SHORT-TERM RENTAL (STRH) AND TRANSIENT VACATION RENTALS (TVRs)

1. Will the project have a B&B, STRH, or TVR component?

No

2. Will (any of) the unit(s) be owner occupied?

N/A

3. How many bedrooms are proposed for rental?

N/A

4. Will this project be newly constructed?

Yes

5. How many dwellings are entirely rented to visitors?

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0

## F. VISITOR ACCOMMODATIONS

### 1. Table 1: Hotels and Timeshares

Accommodation 1: N/A  
Units/Rooms 1: 0  
Lock-offs 1: N/A  
# of Units with Lock-Offs 1: 0

Attachment File Name	Added On	Added By	Attachment Group	Notes
ProposedProjectDataSummarySheet_v1.pdf	08/30/2022 14:27	Furukawa, Tara	EnerGov CSS	Other
Countywide Policy Plan Details combined_v1.pdf	08/30/2022 14:28	Furukawa, Tara	EnerGov CSS	Countywide Policy Plan Details Form
ApplicationNarrative Project Description IB3_v1.docx	08/30/2022 14:29	Furukawa, Tara	EnerGov CSS	Additional Application Narrative
ApplicationNarrative social and economic impacts IIF1 and IVC2_v1.docx	08/30/2022 14:29	Furukawa, Tara	EnerGov CSS	Additional Application Narrative
Community Plan Details Form combined_v1.pdf	08/30/2022 14:29	Furukawa, Tara	EnerGov CSS	Community Plan Details Form
Figures_v1.pdf	08/30/2022 14:29	Furukawa, Tara	EnerGov CSS	Figures
Application Narrative Traffic impacts III D 4_v1.docx	08/30/2022 14:31	Furukawa, Tara	EnerGov CSS	Additional Application Narrative
ApplicationNarrative Community Outreach II H 2_v1.docx	08/30/2022 14:31	Furukawa, Tara	EnerGov CSS	Additional Application Narrative
ApplicationNarrative Cultural Impact II E 3_v1.docx	08/30/2022 14:31	Furukawa, Tara	EnerGov CSS	Additional Application Narrative
ApplicationNarrative zoning consistency and conformity II D5 and H5_v1.docx	08/30/2022 14:31	Furukawa, Tara	EnerGov CSS	Additional Application Narrative
Location Map_v1.pdf	09/06/2022 15:11	Furukawa, Tara	EnerGov CSS	Location Map
LUCAdministrativeRules II D 1 and VB1 2_v1.docx	09/06/2022 15:11	Furukawa, Tara	EnerGov CSS	Additional Application Narrative
LUCAdministrativeRules II D 1 and VB1 2_v1.pdf	09/06/2022 15:11	Furukawa, Tara	EnerGov CSS	Other
Maui Island Plan Details Form combined_v1.pdf	09/06/2022 15:11	Furukawa, Tara	EnerGov CSS	Maui Island Plan Details Form
MiscellaneousPlan Preliminary Engineering Report_v1.pdf	09/06/2022 15:11	Furukawa, Tara	EnerGov CSS	Miscellaneous Plans, Surveys and Documentation
MiscellaneousPlan community engagement_v1.pdf	09/06/2022 15:11	Furukawa, Tara	EnerGov CSS	Miscellaneous Plans, Surveys and Documentation
MiscellaneousPlan Cultural Impact Assessment_v1.pdf	09/06/2022 15:11	Furukawa, Tara	EnerGov CSS	Miscellaneous Plans, Surveys and Documentation
MiscellaneousPlan Flora Fauna Survey_v1.pdf	09/06/2022 15:11	Furukawa, Tara	EnerGov CSS	Miscellaneous Plans, Surveys and Documentation
MiscellaneousPlan Traffic Assessment Report_v1.pdf	09/06/2022 15:11	Furukawa, Tara	EnerGov CSS	Miscellaneous Plans, Surveys and Documentation
Ownershipdocuments_v1.pdf	09/06/2022 15:11	Furukawa, Tara	EnerGov CSS	Ownership Documents for Planning
Photographs_v1.pdf	09/06/2022 15:11	Furukawa, Tara	EnerGov CSS	Photographs
ProjectAssessmentRequirementsChecklist_v1.pdf	09/06/2022 15:11	Furukawa, Tara	EnerGov CSS	Other
Zoning and Flood Confirmation form_v1.pdf	09/06/2022 15:11	Furukawa, Tara	EnerGov CSS	Other
ProposedProjectDataSummarySheet_v1.pdf	11/15/2022 12:17	Furukawa, Tara	EnerGov CSS	Other
11.22.2022 - FPB Response CIZ_Ohukai Light Industrial Park.pdf	12/17/2022 14:29	Vaas, Oliver	Supporting Doc	Maui Fire Dept. comments

Attachment File Name	Added On	Added By	File Category
NoticeofApplication.pdf	08/09/2022	William Spence	Notice of Filing of Application
Maui Island Plan Details Form combined.pdf	08/09/2022	Tara Furukawa	Maui Island Plan Details Form
ApplicationNarrative Community Outreach II H 2.docx	08/09/2022	Tara Furukawa	Additional Application Narrative
Figures.pdf	08/09/2022	Tara Furukawa	Figures
MapofLandUseChange DBA.pdf	08/09/2022	William Spence	Map of Land Use Change
ProposedProjectDataSummarySheet revised.pdf	10/18/2022	Tara Furukawa	Other

## Current Planning Application Report (ZPA2022-00002)

Miscellaneous Draft Zoning Bill.pdf	08/09/2022	William Spence	Other
ProposedProjectDataSummarySheet.pdf	08/09/2022	Tara Furukawa	Other
AffidavitofMailing.pdf	08/09/2022	William Spence	Affidavit of Mailing
MiscellaneousPlan HICRIS and 6E submittal.pdf	08/09/2022	William Spence	Miscellaneous Plans, Surveys and Documentation
ProjectAssessmentRequirementsChecklist.pdf	08/09/2022	Tara Furukawa	Other
MiscellaneousPlan Flora Fauna Survey.pdf	08/09/2022	Tara Furukawa	Miscellaneous Plans, Surveys and Documentation
Photographs.pdf	08/09/2022	Tara Furukawa	Photographs
500ftBoundaryList and Map.pdf	08/09/2022	William Spence	500 Foot Ownership List/Map
Notarized Affidavit of Mailing of Notice of Public Hearing - ZPA.pdf	08/09/2022	William Spence	Other
Miscellaneous Draft DBA Bill.pdf	08/09/2022	William Spence	Other
MiscellaneousPlan Cultural Impact Assessment.pdf	08/09/2022	Tara Furukawa	Miscellaneous Plans, Surveys and Documentation
MapofLandUseChange zoning.pdf	08/09/2022	William Spence	Map of Land Use Change
Location Map.pdf	08/09/2022	Tara Furukawa	Location Map
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ApplicationNarrative Project Description IB3.docx	08/09/2022	Tara Furukawa	Additional Application Narrative
Community Plan Details Form combined.pdf	08/09/2022	Tara Furukawa	Community Plan Details Form
Ownershipdocuments.pdf	08/09/2022	Tara Furukawa	Ownership Documents for Planning
LUCAdministrativeRules II D 1 and VB1 2.pdf	08/09/2022	Tara Furukawa	Other
MiscellaneousPlan Traffic Assessment Report.pdf	08/09/2022	Tara Furukawa	Miscellaneous Plans, Surveys and Documentation
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ApplicationNarrative zoning consistency and conformity II D5 and H5.docx	08/09/2022	Tara Furukawa	Additional Application Narrative
LegaldescriptionofProperty.pdf	08/09/2022	William Spence	Legal Description of Property
Countywide Policy Plan Details combined.pdf	08/09/2022	Tara Furukawa	Countywide Policy Plan Details Form
Notice of Public Hearing.pdf	08/09/2022	William Spence	Other
MiscellaneousPlan Preliminary Engineering Report.pdf	08/09/2022	Tara Furukawa	Miscellaneous Plans, Surveys and Documentation
Application Narrative Traffic impacts III D 4.docx	08/09/2022	Tara Furukawa	Additional Application Narrative
LUCAdministrativeRules II D 1 and VB1 2.docx	08/09/2022	Tara Furukawa	Additional Application Narrative

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00003995	Application Fee - DBA	\$2,860.00	\$2,860.00
	Application Fee - ZPA	\$2,876.00	\$2,876.00
Total for Invoice INV-00003995		\$5,736.00	\$5,736.00
Grand Total for Plan		\$5,736.00	\$5,736.00



# **Ohukai Light Industrial Park CIZ/DBA, TMK 3-9-001:034 (por)**

## **IB3 Project Description**

Christopher ("Chris") and Candice ("Candy") Hayes are the owners of the 28.7-acre property located at 454 Ohukai Road in Kihei, Maui Hawaii, they reside in the farmhouse on the mauka side of the property set in the mango orchard. It is notable that the Hayes plan to continue living in the farmhouse after the project described below is complete.

Only the lower 14.626 acres are the subject of these applications, encompassing the "Project Area." The Hayes desire to change both the state district and county zoning to match the Kihei Makena Community Plan which designates it for Light Industrial Uses. The state district would be changed from Agriculture to Urban, and the County zoning from Rural to Light Industrial pursuant to 19.24 of the Maui County Code ("MCC"). The property is also within the Urban Growth Boundary of the Maui Island Plan. It is located outside of the SMA and there are no other special designations.

The goal of the project is to create a low intensity use comprised of 21 very simple storage baseyards that will be made available for lease. The primary interest is for smaller contractors who have equipment and materials to store and be secure. Right now they must choose between expensive spaces in established light industrial subdivisions or park equipment on streets and risk theft or vandalism. It is not unusual to see trucks with trailers loaded with equipment or boom trucks for tree trimmers parked on residential streets. Parking equipment on the street is also inconvenient for those living nearby because of the size of the vehicles and the number of parking spaces taken.

The leased spaces would also be available to serve government agencies or utilities. This would be a matter of efficiency since many baseyards are in Central Maui and thus require somewhat extensive driving times to and from project sites. Having storage central to the South Maui area would decrease required driving and could have a positive effect on productivity.

## **Project Site**

The 14.626-acre Project Area will be subdivided out of the existing larger parcel after zoning is granted. The site will feature a central paved roadway for access to each space. This will be an all-weather road with a 35-foot right of way and 20 feet of pavement. Entrances to each space will have paved aprons, but those will stop at the ROW. The road will remain privately owned; it will not be dedicated to the county. The road into the project will not be gated in order to smooth traffic flow in and out of the site. This

provision comes after community consultation out of concern that trucks would have to stop at the intersection while a gate opens and blocks traffic.

Other improvements include fire protection via a private system with an 8-inch dedicated fire line with a double-check backflow preventer built to county fire flow standards. A smaller potable line will be installed at the time of construction to avoid digging up the road in the future, but hookups will be up to the individual tenants as they have need.

Similarly, an 8-inch wastewater line will be installed during project construction for possible future uses, but as yard space, no individual wastewater hookups are necessary or planned. This line will be connected to the county system at an existing easement.

Electrical improvements will be made in the form of overhead lines and code-compliant, downward shielded security lighting. As before, hookups to individual spaces are not planned, but tenants can connect as they have need.

The site already has gentle slopes of approximately 2.6 percent, so grading will primarily consist of making the spaces flat and assuring proper drainage. Drainage improvements will utilize the county's drainage easement at the Southwest corner which has a 42-inch stormdrain. There will also be a drainage basin on the Northwest corner at Ohukai Road to handle additional runoff as well as that entering the property from the roadway. Details on drainage can be found in Section D17 and Appendix VI.

The property frontage along Ohukai Road will feature a 20-foot "green" buffer of trees following the recommendations of the Kihei Community Association. The details of this buffer are more thoroughly discussed in Section D18, and a copy of their letter is in Appendix V.

## **Leasable Spaces**

There will be 21 spaces varying in size in order to meet the needs of lessees. Twelve of them will be smaller, roughly one-half acre (0.44 to 0.505 acres) in size. Two at the cul-de-sac would be roughly three-quarters of an acre (0.723 and 0.746 acres); and the largest seven spaces would be just over one acre each (1.00 – 1.13 acres).

Each space would be fenced for security purposes and as noted, no individual electrical, water, or wastewater hookups are planned. Each tenant may connect to utilities as they have need. The spaces will not be paved but will have a 6-inch base course of gravel. Concrete pads will be required of tenants where needed so any liquids will be contained when equipment maintenance is performed.

As simple, leasable storage space is the goal, the Hayes will not allow any permanent structures to be built during their ownership. Tenants may place shipping containers for additional security and weather protection, but these are meant to be temporary in nature. No subdivision or CPR is planned by the applicants, though it may be an option for the future.

### **Conditional Zoning and Mitigating Measures**

The applicants wish to avoid the property being developed like other light industrial areas under the provisions under MCC 19.24. Some of these areas built with "straight zoning," such as the adjacent Kihei Commercial Plaza, more resemble a commercial development with a mix of retail, office, multiple tenants in a single building, along with some light industrial uses. In addition, it appears as if some of these developments are built almost to the maximum density allowed by code. The result has been some very intense land uses that may be appropriate in some areas, but the applicants believe less intensity is desirable for their property and the area.

The applicants propose that the zoning for the property be conditioned to mitigate the potential for specific impacts associated with more intense developments. This will make their project more compatible with the area and reduce noise, traffic, and visual impacts.

- The primary condition would be to eliminate the "stacking" provision found in MCC 19.24, Light Industrial, which permits *"Any use permitted in a B-1, B-2, or B-3 business district..."* By eliminating these provisions, the project will always remain at a lower intensity than what is found in other light industrial areas and yet will remain truly light industrial in nature.

In addition, this follows the provisions of the Kihei Makena Community Plan to limit commercial uses in light industrial developments mauka of Pi'ilani Highway.

- The applicants propose to limit the Floor Area Ratio (FAR) to 0.5 for the property. The county code has no limitation at all, often resulting in very intense development. The applicant recognizes the property is in proximity to residences, limiting the FAR assures a measure to limit traffic and other impacts.
- Building heights in the future will also be limited to 35 feet, significantly less than the code provision of 60 feet. While no buildings are planned at this time, there may be in the future. Limiting the height assures that future buildings will not be a visual imposition in an area dominated by single- and two-story structures.

Other mitigating measures come as the result of community engagement.

- A 20-foot “green” buffer of trees and vegetation will be located next to Ohukai Road and will have multiple purposes as identified by the Kihei Community Association (KCA).
- Downward shielded lighting, also recommended by the KCA, will avoid glare into neighboring properties. It will also avoid impacts to birds possibly flying through the area at night. Shielded lighting is already required per Title 20 of the Maui County Code, but the applicants will comply with the regulations in place at the time of approval.
- The project entrance will not have an automated gate, but the entrance will be open, the same as a regular “T” intersection with a stop sign. This measure comes from discussions with a few area neighbors in order to smooth traffic in and out of the project site.
- Best Management Practices will be written into lease agreements to control, among other things, the possibility of leaks from equipment.

The result will be a low intensity project that is significantly less dense and simpler than what would be allowed by the zoning code or what has been experienced through other light industrial projects such as the adjacent Kihei Commercial Plaza. The measures will significantly aid in mitigating impacts and make it more compatible with the area.

The County Council has the authority to impose conditions under MCC 19.510.0050.B. Additional analysis is provided in section D7 related to planning policies and the provisions of the applicable zoning district.