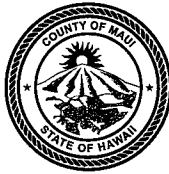


ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



RECEIVED

2016 AUG 25 AM 9: 59

COUNTY OF MAUI
DEPARTMENT OF PLANNING

August 25, 2016

OFFICE OF THE MAYOR

OFFICE OF THE
COUNTY CLERK

2016 AUG 30 AM 9: 37

RECEIVED

Honorable Alan M. Arakawa
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

For Transmittal to:

Honorable Mike White, Chair
and Members of the Maui County Council
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Alan Arakawa 8/29/16
Mayor Date

Dear Chair White and Members:

SUBJECT: COMMUNITY PLAN AMENDMENT, CHANGE IN ZONING, AND PROJECT DISTRICT PHASE I APPROVAL REQUESTS FOR THE WAI'ALE DISTRICT SOUTH PROJECT, LOCATED ON THE CORNER OF KUIHELANI HIGHWAY AND EAST WAIKO ROAD, WAIKAPU, MAUI, HAWAII; TMKs: (2) 3-8-005: 037 and 040 (por.)

The Department of Planning (Department) is transmitting for your review and action a Community Plan Amendment (CPA), Change in Zoning (CIZ), and Project District Phase I Approval (PH1) filed by A&B Properties, Inc. A summary of the application is as follows:

APPLICATION SUMMARY	
Application(s)	CPA, CIZ, and PH1
Applicant	A&B Properties, Inc.
Tax Map Key(s)	(2) 3-8-005:037 and 040 (por.)
Addresses	On the corner of Kuihelani Highway and Waiko Road.
Area	Approximately 123 acres of land.
Land Use Designations	State Urban District Community Plan: Agriculture Title 19, Zoning: Agriculture Other: Within the Maui Island Plan "Urban Growth Boundary"
Brief Description	CPA, CIZ, and PH1 in order construct, "Wai'ale Project District South," a master planned community with residential, village mixed-use, parks and open space areas.
Public Hearing	Held by the Maui Planning Commission (Commission) on November 24, 2015
Testimony	Eight (8) people provided oral testimony in support of the project seven (7) people provided oral testimony in opposition, and four (4) people provided oral comments/neutral testimony.
Recommendation	The Commission recommended approval of the subject proposed bills.

COUNTY COMMUNICATION NO. 16-218

Honorable Alan M. Arakawa, Mayor
For Transmittal to:
Honorable Mike White, Chair
August 25, 2016
Page 2

The Commission reviewed the subject proposed project at its November 24, 2015 meeting, and recommended approval of the CPA, CIZ, and PH1 with two (2) conditions to the Maui County Council (Council).

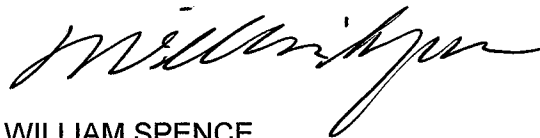
As Council approval is required for the CIZ, the Department respectfully transmits the subject application to the Council for consideration. Accordingly, attached for your review are the following documents:

1. Proposed bill entitled, "A BILL FOR AN ORDINANCE TO AMEND THE WAILUKU-KAHULUI COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURAL DISTRICT TO WAIALE PROJECT DISTRICT SOUTH FOR PROPERTY SITUATED AT WAIKAPU, WAILUKU, MAUI, HAWAII";
2. Proposed bill entitled, "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO WAIALE PROJECT DISTRICT SOUTH (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT WAIKAPU, WAILUKU, MAUI, HAWAII";
3. Proposed bill entitled, "A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE, TO ESTABLISH PERMISSIBLE LAND USES, STANDARDS OF DEVELOPMENT, AND ALLOCATIONS OF LAND FOR WAIALE PROJECT DISTRICT SOUTH SITUATED AT WAIKAPU, WAILUKU, MAUI, HAWAII";
4. Community Plan Map No. CP-424;
5. Land Zoning Map No. L-2704;
6. Department's Recommendation to the Commission, dated November 24, 2015;
7. Department's Report and Agency Comments to the Commission, dated November 24, 2015; and
8. Adopted Minutes of the November 24, 2015 Commission meeting.

Honorable Alan M. Arakawa, Mayor
For Transmittal to:
Honorable Mike White, Chair
August 25, 2016
Page 3

Thank you for your attention to this matter. Should you have any questions, please feel free to transmit them to the Department of Planning via transmittal through the Office of the Mayor.

Sincerely,



WILLIAM SPENCE
Planning Director

Attachments

xc: Clayton I. Yoshida, AICP, Planning Program Administrator (PDF)
Danny A. Dias, Staff Planner (PDF)
Maui Planning Commission Members
Marisa Fujimoto, Munekiyo Hiraga

WRS:DAD:lk

Project File
General File

K:\WP_DOCS\PLANNING\CPA\2015\0001_Wai'aleProject\Project Background\Council_Transmittal.doc

ORDINANCE NO. _____

BILL NO. _____ (2016)

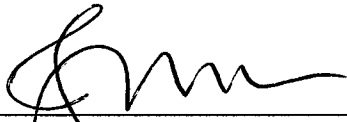
A BILL FOR AN ORDINANCE TO AMEND THE WAILUKU-KAHULUI
COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURAL DISTRICT
TO WAIALE PROJECT DISTRICT SOUTH FOR PROPERTY SITUATED
AT WAIKAPU, WAILUKU, MAUI, HAWAII

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Pursuant to Chapter 2.80B, Maui County Code, the Wailuku-Kahului Community Plan and Land Use Map is hereby amended from Agricultural District to Waiale Project District South for property situated at Waikapu, Wailuku, Maui, Hawaii, and identified for real property tax purposes as tax map key (2) 3-8-005:037 and (2) 3-8-005:040 (por.), consisting of 122.6 acres, and more particularly described in Exhibit "A", attached hereto and made a part hereof, and as shown in Community Plan Map No. CP-424, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 2. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:



JENNIFER M.P.E. OANA
Deputy Corporation Counsel
County of Maui
LF 2016-0253

DESCRIPTION

WAIALE PROJECT DISTRICT - SOUTH

TAX MAP KEY: (2)3-8-005:037 AND 040 (PORTION)

All of that certain parcel of land, being all of Lot 3 and a portion of Lot 4-A of the Walter K. Schenk Subdivision, being also a portion of Grant 3152 to Henry Cornwell situated at Waikapu, Wailuku, Island and County of Maui, State of Hawaii

Beginning at the northwesterly corner of this parcel of land, on the southerly side of Waiko Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 10,411.85 feet South and 136.75 feet East and running by azimuths measured clockwise from True South:

- | | | | |
|----|---|-------------|---|
| 1. | 276° 30' | 340.00 feet | along the southerly side of Waiko Road; |
| 2. | Thence along same on a curve to the right with a radius of 1,020.00 feet, the chord azimuth and distance being:
287° 15' 380.51 feet; | | |
| 3. | 298° 00' | 498.99 feet | along the southerly side of Waiko Road; |
| 4. | Thence along same on a curve to the left with a radius of 730.00 feet, the chord azimuth and distance being:
285° 45' 309.78 feet to a point of reverse curvature; | | |
| 5. | Thence along same on a curve to the right with a radius of 2,720.00 feet, the chord azimuth and distance being:
276° 00' 237.29 feet; | | |
| 6. | 278° 30' | 469.65 feet | along the southerly side of Waiko Road; |
| 7. | Thence along same on a curve to the right with a radius of 1,350.00 feet, the chord azimuth and distance being:
285° 07' 30" 311.50 feet; | | |
| 8. | 291° 45' | 253.29 feet | along the southerly side of Waiko Road; |

9. 287° 45' 966.90 feet along same;
10. Thence along same on a curve to the left with a radius of 950.00 feet, the chord azimuth and distance being:
287° 13' 16" 17.54 feet;
11. Thence along same on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
337° 15' 01" 46.34 feet;
12. 27° 48' 30" 1,355.35 feet along the westerly side of
Kuihelani Highway [F.A.S.P. No.
S-0380(4)];
13. 117° 48' 30" 5.00 feet along same;
14. 27° 48' 30" 200.00 feet along same;
15. 297° 48' 30" 5.00 feet along same;
16. 27° 48' 30" 1,100.00 feet along same;
17. 117° 48' 30" 10.00 feet along same;
18. 27° 48' 30" 300.00 feet along same;
19. 297° 48' 30" 5.00 feet along same;
20. 27° 48' 30" 412.45 feet along same;
21. 107° 07' 77.52 feet along the remainder of Lot 4-A of
the Walter K. Schenk
Subdivision (being the remainder
of Grant 3152 to Henry
Cornwell);
22. 118° 45' 55.17 feet along same;
23. 142° 21' 42.56 feet along same;
24. 185° 32' 67.95 feet along same;
25. 189° 02' 200.44 feet along same;
26. 163° 25' 89.55 feet along same;
27. 190° 55' 148.50 feet along same;
28. 173° 16' 183.73 feet along same;
29. 179° 36' 223.95 feet along same;

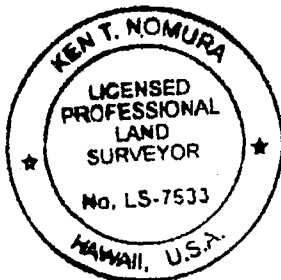
30.	167° 13'	199.83 feet	along same;
31.	157° 11'	146.91 feet	along same;
32.	124° 26'	112.05 feet	along same;
33.	154° 10'	85.83 feet	along same;
34.	173° 20'	197.01 feet	along same;
35.	142° 44'	23.99 feet	along same;
36.	113° 52'	71.52 feet	along same;
37.	116° 58'	112.02 feet	along same;
38.	174° 38'	198.93 feet	along same;
39.	163° 17'	251.92 feet	along same;
40.	148° 50'	185.28 feet	along same;
41.	153° 15'	119.97 feet	along same;
42.	141° 10'	140.68 feet	along same;
43.	129° 37'	127.19 feet	along same;
44.	150° 48'	144.58 feet	along same;
45.	140° 37'	141.05 feet	along same;
46.	152° 01'	63.16 feet	along same;
47.	162° 10'	138.88 feet	along same;
48.	149° 24'	78.67 feet	along same;
49.	137° 48'	52.02 feet	along same;
50.	125° 46'	119.73 feet	along same;
51.	133° 58'	105.22 feet	along same;
52.	163° 28'	108.03 feet	along same;
53.	133° 29'	114.74 feet	along same;
54.	104° 06'	83.47 feet	along same;

55.	102° 35'	145.60 feet	along same;
56.	122° 54'	88.55 feet	along same;
57.	128° 25'	50.07 feet	along same;
58.	145° 08'	50.48 feet	along same;
59.	155° 18'	38.31 feet	along same;
60.	171° 30'	32.31 feet	along same;
61.	175° 51'	235.74 feet	along same;
62.	140° 17'	105.18 feet	along same to the point of beginning and containing an Area of 122.635 Acres.

Prepared by: A&B Properties, Inc.
Kahului, Maui, Hawaii

August 4, 2014

This work was prepared by me or under my supervision.



Ken T. Nomura 4/20/2016
 Ken T. Nomura
 Licensed Professional Land Surveyor
 Certificate No. LS-7633
 Expiration Date: 4/30/2016

ME
 32/37-k

ORDINANCE NO. _____

BILL NO. _____ (2016)

A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM
AGRICULTURAL DISTRICT TO WAIALE PROJECT DISTRICT SOUTH
(CONDITIONAL ZONING) FOR PROPERTY SITUATED
AT WAIKAPU, WAILUKU, MAUI, HAWAII

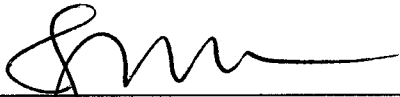
BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Pursuant to Chapters 19.45 and 19.510, Maui County Code, a change in zoning from Agricultural District to Waiale Project District South (Conditional Zoning) is hereby granted for those certain parcels of land situated at Waikapu, Wailuku, Maui, Hawaii, and identified for real property tax purposes as tax map key (2) 3-8-005:037 and (2) 3-8-005:040 (por.), consisting of 122.6 acres, and more particularly described in Exhibit "A", attached hereto and made a part hereof, and as shown in Land Zoning Map No. L-2704, which is on file at the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 2. Pursuant to Section 19.510.050, Maui County Code, the zoning granted by this ordinance is subject to the conditions set forth in Exhibit "B", attached hereto and made a part hereof, and the Unilateral Agreement and Declaration for Conditional Zoning attached hereto and made a part hereof as Exhibit "C".

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:



JENNIFER M.P.E. OANA
Deputy Corporation Counsel
County of Maui
2016-0253

DESCRIPTION

WAI'ALE PROJECT DISTRICT - SOUTH

TAX MAP KEY: (2)3-8-005:037 AND 040 (PORTION)

All of that certain parcel of land, being all of Lot 3 and a portion of Lot 4-A of the Walter K. Schenk Subdivision, being also a portion of Grant 3152 to Henry Cornwell situated at Waikapu, Wailuku, Island and County of Maui, State of Hawaii

Beginning at the northwesterly corner of this parcel of land, on the southerly side of Waiko Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 10,411.85 feet South and 136.75 feet East and running by azimuths measured clockwise from True South:

- | | | | |
|----|---|-------------|---|
| 1. | 276° 30' | 340.00 feet | along the southerly side of Waiko Road; |
| 2. | Thence along same on a curve to the right with a radius of 1,020.00 feet, the chord azimuth and distance being:
287° 15' 380.51 feet; | | |
| 3. | 298° 00' | 498.99 feet | along the southerly side of Waiko Road; |
| 4. | Thence along same on a curve to the left with a radius of 730.00 feet, the chord azimuth and distance being:
285° 45' 309.78 feet to a point of reverse curvature; | | |
| 5. | Thence along same on a curve to the right with a radius of 2,720.00 feet, the chord azimuth and distance being:
276° 00' 237.29 feet; | | |
| 6. | 278° 30' | 469.65 feet | along the southerly side of Waiko Road; |
| 7. | Thence along same on a curve to the right with a radius of 1,350.00 feet, the chord azimuth and distance being:
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| 8. | 291° 45' | 253.29 feet | along the southerly side of Waiko Road; |

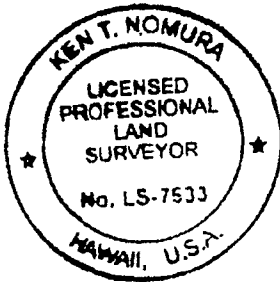
- | | | | |
|-----|--|---------------|---|
| 9. | 287° 45' | 966.90 feet | along same; |
| 10. | Thence along same on a curve to the left with a radius of 950.00 feet, the chord azimuth and distance being:
287° 13' 16" 17.54 feet; | | |
| 11. | Thence along same on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
337° 15' 01" 46.34 feet; | | |
| 12. | 27° 48' 30" | 1,355.35 feet | along the westerly side of Kuihelani Highway [F.A.S.P. No. S-0380(4)]; |
| 13. | 117° 48' 30" | 5.00 feet | along same; |
| 14. | 27° 48' 30" | 200.00 feet | along same; |
| 15. | 297° 48' 30" | 5.00 feet | along same; |
| 16. | 27° 48' 30" | 1,100.00 feet | along same; |
| 17. | 117° 48' 30" | 10.00 feet | along same; |
| 18. | 27° 48' 30" | 300.00 feet | along same; |
| 19. | 297° 48' 30" | 5.00 feet | along same; |
| 20. | 27° 48' 30" | 412.45 feet | along same; |
| 21. | 107° 07' | 77.52 feet | along the remainder of Lot 4-A of the Walter K. Schenk Subdivision (being the remainder of Grant 3152 to Henry Cornwell); |
| 22. | 118° 45' | 55.17 feet | along same; |
| 23. | 142° 21' | 42.56 feet | along same; |
| 24. | 185° 32' | 67.95 feet | along same; |
| 25. | 189° 02' | 200.44 feet | along same; |
| 26. | 163° 25' | 89.55 feet | along same; |
| 27. | 190° 55' | 148.50 feet | along same; |
| 28. | 173° 16' | 183.73 feet | along same; |
| 29. | 179° 36' | 223.95 feet | along same; |

30.	167° 13'	199.83 feet	along same;
31.	157° 11'	146.91 feet	along same;
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60.	171° 30'	32.31 feet	along same;
61.	175° 51'	235.74 feet	along same;
62.	140° 17'	105.18 feet	along same to the point of beginning and containing an Area of 122.635 Acres.

Prepared by: A&B Properties, Inc.
Kahului, Maui, Hawaii

August 4, 2014



This work was prepared by me or under my supervision.

Kent T. Nomura 4/30/2016
 Ken T. Nomura
 Licensed Professional Land Surveyor
 Certificate No. LS-7633
 Expiration Date: 4/30/2016

ME
 32/37-k

EXHIBIT "B"

CONDITIONS OF ZONING

1. That residential workforce housing units shall be made available for occupancy either before or concurrently with market rate units at the same ratio required of the development, in accordance with Chapter 2.96, Maui County Code.
2. That an Archaeological Monitoring Plan for the Waiale South project area be submitted to the State Historic Preservation Division (SHPD) for review and approval prior to commencement of any construction work within the project area.

ORDINANCE NO. _____

BILL NO. _____ (2016)

A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE, TO
ESTABLISH PERMISSIBLE LAND USES, STANDARDS OF DEVELOPMENT,
AND ALLOCATIONS OF LAND FOR WAIALE PROJECT DISTRICT SOUTH
SITUATED AT WAIKAPU, WAILUKU, MAUI, HAWAII

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Title 19, Maui County Code, is amended by adding a new
chapter to be appropriately designated and to read as follows:

"Chapter 19.95

WAIALE PROJECT DISTRICT (SOUTH AREA)

Sections:

- 19.95.010 Purpose and intent.
- 19.95.020 Residential district.
- 19.95.030 Village mixed use district.
- 19.95.040 Industrial district.
- 19.95.050 Public/quasi-public district.
- 19.95.060 Park/open space district.
- 19.95.070 Land use districts, approximate acreages,
and maximum residential density.

19.95.010 Purpose and intent. The purpose of this project district is to provide for a flexible and creative approach to development which considers physical, environmental, social, and economic factors in a comprehensive manner. The intent of the Waiale Project District is to establish a residential community with a mixture of residential unit types, including a park and open space system with bike and pedestrian paths, supportive retail and commercial facilities, as well as public and quasi-public uses.

Referenced terms have the meanings set forth in section 19.04.040, Maui County Code, or if different, then as specifically defined herein.

19.95.020 Residential district. The residential district envisions a range of multi-family and single-family housing types to meet the varied housing needs of Maui residents. The intent of the residential district is to provide the flexibility to allow for all forms of residential use and structures to meet changing market demand. The district also includes other uses that are supportive and compatible with residential use.

Permitted uses and structures. Within the residential district, the following uses shall be permitted:

A. Principal uses and structures.

Uses	Notes and exceptions
Single-family dwelling units	
Two-family dwelling units	
Multi-family dwelling units	
Parks and playgrounds, noncommercial	Certain commercial amusement and refreshment sale activities may be permitted when under supervision of the government agency in charge of the park or playground.
Resident recreational uses and structures for use by owners and their tenants	
Parking lots	
Communication equipment, antenna, or towers	
Minor utility facilities	
Major utility facilities	Limited to water and wastewater treatment facilities.
Schools	

B. Accessory uses and structures.

Uses	Notes and exceptions
Greenhouses, flower and truck gardens, and nurseries	Provided that there shall be no retailing or transacting of business on the premises.
Accessory buildings located on the same lot	
Day care nurseries, kindergartens, nursery schools, child care homes, day care homes, day care centers, nurseries, preschool kindergartens, babysitting services, and other like facilities located in private homes used for child care services	These facilities shall serve six or fewer children at any one time on lot sizes of less than seven thousand five hundred square feet, serving eight or fewer children at any one time on lot sizes of seven thousand five hundred or more square feet but less than ten thousand square feet, or serving twelve or fewer children at any one time on lot sizes of ten thousand or more square feet.
Home occupations	
Adult care homes in which residents of the home provide care for not more than six adults	
Small scale energy systems that are incidental and subordinate to a principal use or structure	
Other uses and structures that are determined by the planning director as meeting the intent of this section	

C. Special uses. The following uses shall be permitted subject to the approval of the Maui planning commission:

Uses	Notes and exceptions
Churches, together with accessory buildings	
Recycling collection and redemption centers	
Farmer's market	
Swap meet or open air market	
Day care nurseries, kindergartens, nursery schools, child care homes, day care homes, day care centers, nurseries, preschool kindergartens, babysitting services, and other like facilities located in private homes used for child care services serving more than the number of children defined in subsection B.	
Hospitals	
Nursing or convalescent homes and domiciliary facilities operated and maintained to provide nursing or supporting care	
Certain domestic type businesses in the home	Provided there will be no detrimental or nuisance effect upon the neighbors. Such businesses shall be normal functions of the home, such as baking, sewing, and piano playing.
Adult care homes for more than six adults	
Buildings or premises used by the Federal, State, or County governments for public purposes	
Uses and structures that are similar to, and compatible with, the principal uses or structures and which conform to the intent of this section may be approved by the Maui planning commission	

D. Development standards for the residential district shall be:

	Residential district	Notes and exceptions
Minimum lot area (square feet)	1,800 square feet	Lots for utility or landscape purposes shall only be used for utility and landscape purposes and shall not have a minimum lot area.
Minimum lot width (in feet)	0 feet	
Maximum building height (in feet)	60 feet	Measured by the finished grade, as specified in the approved project district phase II or III site plans. Building appurtenances, such as vent pipes, fans, elevator and stairway shafts, chimneys, cell or antennae, and equipment used for small scale energy systems on roofs, may extend an additional 10 feet in height above the building roof.

Minimum yard setbacks (in feet)		Notes and exceptions
Front	0 feet	The side and rear yard setback may be 0 feet for zero lot line lots and lots used only for utility and landscape purposes as identified in the project district phase II or III site plans.
Side	3 feet	
Rear	3 feet	

19.95.030 Village mixed use district. The village mixed use district envisions an area comprised of a mix of residential, commercial, recreational, and community facilities. The intent of the village mixed use district is to create community identity and character with landmark buildings and a grouping of services within a central core that includes a mix of uses.

Permitted Uses. Within the village mixed use district, the following uses shall be permitted:

A. Principal uses and structures.

Uses	Notes and exceptions
Any use or structure permitted in the residential district	
Animal boarding facility	
Animal hospital	
Art galleries	
Auditoriums and theatres	
Automobile service stations	
Bowling alleys	
Churches, together with accessory buildings	
Day care facilities	
Eating and drinking establishments	
Farmer's market	
Food and beverage, retail	
Garages	
General merchandising	
General office	
Laundromats	
Light manufacturing and processing	
Medical center, major	
Medical center, minor	
Museums	
Parking area, public	
Personal and business services	

Private clubs	
Public facility or public use	
Quasi-public use or quasi-public facility	
Recreation, indoor	
Redemption center	
Self-storage	Provided it is within a completely enclosed building
Swap meet or open air market	

B. Accessory uses and structures.

1. Accessory structures permitted in the residential district.

2. Other uses and structures as determined by the planning director as meeting the intent of this section.

C. Special uses. The following uses shall be permitted subject to the approval of the Maui planning commission: Uses that are similar to, and compatible with, the principal uses and structures and which conform to the intent of this section may be approved by the Maui planning commission.

D. Development standards for the village mixed use district shall be:

	Village mixed use district	Notes and exceptions
Minimum lot area (square feet)	1,800 square feet	Lots for utility or landscape purposes shall only be used for utility and landscape purposes and shall not have a minimum lot area.
Minimum lot width (in feet)	0 feet	
Maximum building height (in feet)	60 feet	Measured by the finished grade, as specified in the approved project district phase II or III site plans: 45 feet for all non-dwelling uses with an additional allowable 15 feet for a total of 60 feet if the area above 45 feet is exclusively used for dwelling purposes. Building appurtenances, such as vent pipes, fans, elevator and stairway shafts, chimneys, cell or antennae, and equipment used for small scale energy systems on roofs, may extend an additional 10 feet in height above the building roof.

Minimum yard setbacks (in feet)		Notes and exceptions
Front	0 feet	The side and rear yard setback may be 0 feet for zero lot line lots and lots used only for utility and landscape purposes as identified in the project district phase II or III site plans.
Side	3 feet	
Rear	3 feet	

19.95.040 Industrial district. The industrial district envisions an area of commercial and light industrial uses, including warehousing and distribution types of activities and the assembly or treatment of materials, with the exception of heavy manufacturing and processing. The district also includes other uses that are supportive and compatible with industrial use.

Permitted uses. Within the industrial district, the following uses shall be permitted:

A. Principal uses and structures.

Uses	Notes and exceptions
Any use or structure permitted in the VMX District	
Assembly and manufacture of electrical components and the like	
Automobile services	Including major repairs, provided all auto repairing operations are conducted in completely enclosed buildings; and provided further, that tire rebuilding or battery manufacturing shall not be permitted within this district.
Automobile upholstery shops	
Awning or canvas shops	
Cold storage plants	
Commercial laundries	
Equipment rental and sales yards	
Farm implement sales and service	
Feed stores	

General food, fruit, and vegetable processing and manufacturing plants	
Ice cream and milk producing, manufacturing, and storage	
Laboratories-experimental, photo or motion picture, film, or testing	
Light and heavy equipment and product display rooms, storage, and service	
Lumber yards	
Machine shop or other metal working shop	
Manufacture of pottery and figurines or other similar ceramic products	
Milk bottling or central distribution stations	
Mortuaries	
New and used car lots	Provided all repair and maintenance is conducted within a completely enclosed building.
Nurseries (flower or plants)	Provided that all incidental equipment and supplies, including fertilizers and empty cans, are kept within completely enclosed buildings.
Plumbing shops	
Printing, lithography, or publishing shops	
Radio transmitting and television stations	Provided that towers are of the self-sustaining type without guys.
Recycling collection and redemption centers	
Replating shop	
Retail lumber yard including mill and sash work	Except that mill and sash work shall be conducted within a completely enclosed building.
Small boat building	
Soda water and soft drink bottling and distribution plants	

The manufacture, compounding, or treatment of articles or merchandise from the following previously prepared materials: aluminum, bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, plastics, precious or semi-precious metals or stones, shell, tobacco, and wood	
The manufacture, compounding, processing, packing, or treatment of such products as candy, cosmetics, drugs, perfumes, pharmaceuticals, toiletries, and food products except the rendering or refining of fats and oils	
The manufacture, dyeing, and printing of cloth fabrics and wearing apparel	
The manufacture of musical instruments, toys, novelties, and rubber and metal stamps	
Trucking and truck storage	
Warehouse and storage	
Wearing apparel manufacturing	
Any other retail businesses or commercial enterprises which are similar in character of rendering sales of commodities or performance of services to the community and not detrimental to the welfare of the surrounding area	Provided, however, that such uses shall be approved by the planning director as conforming to the intent of this section.

B. Accessory uses and structures. Other uses and structures as determined by the planning director as meeting the intent of this section.

C. Special uses. The following uses shall be permitted subject to the approval of the Maui planning commission: Uses and structures that are similar to, and compatible with, the principal uses and structures and which conform to the intent of this section may be approved by the Maui planning commission.

D. Development standards for the industrial district shall be:

	Industrial district	Notes and exceptions
Minimum lot area (square feet)	7,500 square feet	Lots for utility or landscape purposes shall only be used for utility and landscape purposes and shall not have a minimum lot area.
Minimum lot width (in feet)	65 feet	
Maximum building height (in feet)	60 feet	Measured by the finished grade, as specified in the approved project district phase II or III site plans. Building appurtenances, such as vent pipes, fans, elevator and stairway shafts, chimneys, cell or antennae, and equipment used for small scale energy systems on roofs, may extend an additional 10 feet in height above the building roof.

Minimum yard setbacks (in feet)		Notes and exceptions
Front	0 feet	Where the front, side, or rear yard of a lot abuts a lot in any residential or village mixed use district, the abutting front, side, or rear yard setbacks shall be not less than 10 feet, except that the minimum front, side, and rear yard setbacks shall be 0 feet for lots used only for utility or landscape purposes.
Side	0 feet	
Rear	0 feet	

19.95.050 Public/quasi-public district. The public/quasi-public district envisions uses supportive and compatible with the overall residential character of the Waiale residential community. The district also includes other uses that are supportive and compatible with public/quasi-public use.

Permitted Uses. Within the public/quasi-public district, the following uses shall be permitted:

A. Principal uses and structures:

Uses	Notes and exceptions
Churches	
Community and recreation centers	
Fire and police stations	
Government and quasi-public offices	
Libraries	
Major utility facilities	
Minor utility facilities	
Parking lots and structures	
Schools	

B. Accessory uses and structures. Other uses and structures as determined by the planning director as meeting the intent of this section.

C. Special uses. The following uses shall be permitted subject to the approval of the Maui planning commission: Uses and structures that are similar to, and compatible with, the principal uses and structures and which conform to the intent of this section may be approved by the Maui planning commission.

D. Development standards for the public/quasi-public district shall be:

	Public/quasi-public district	Notes and exceptions
Minimum lot area (square feet)	0 square feet	
Minimum lot width (in feet)	0 feet	
Maximum building height (in feet)	90 feet	Measured by the finished grade, as specified in the approved project district phase II or III site plans. Building appurtenances, such as vent pipes, fans, elevator and stairway shafts, chimneys, cell or antennae, and equipment used for small scale energy systems on roofs, may extend an additional 10 feet in height above the building roof.

Minimum yard setbacks (in feet)		Notes and Exceptions
Front	20 feet	Where the side or rear yard of a lot abuts a lot in any residential or village mixed use district, the abutting side or rear yard shall have the same yard setback as required in the residential or village mixed use district, except that the minimum front, side, and rear yard setbacks shall be 0 feet for lots used only for utility or landscape purposes.
Side	0 feet	
Rear	0 feet	

19.95.060 Park/open space district. The park/open-space district envisions park and open space uses which serve the active and passive recreational needs of the Waiale residential community. The district also includes other uses that are supportive and compatible with park/open space use.

Permitted uses. Within the park and open space district, the following uses shall be permitted:

A. Principal uses:

Uses	Notes and exceptions
Athletic courts and fields	
Community and recreation centers	
Drainage and erosion control systems	Shall be combined with open land recreation uses.
Historic and cultural sites	
Minor utility facilities	
Open land recreation	
Parks, playgrounds, and landscaped common or open space areas	
Road widening reserves and buffers	
Swimming pools	
Trails and bike-pedestrian ways	

B. Accessory Uses and Structures.

Uses	Notes and exceptions
Comfort and shelter stations	
Greenhouses and nurseries, limited to the propagation of plants	
Maintenance and storage facilities	
Park furniture and equipment	
Other uses and structures as determined by the planning director as meeting the intent of this section	

C. Special uses. The following uses shall be permitted subject to the approval of the Maui planning commission:

1. Cemeteries.
2. Uses and structures that are similar to, and compatible with, the principal uses and structures and which conform to the intent of this section may be approved by the Maui planning commission.

D. Development standards for the park and open space district shall be:

	Park and open space district	Notes and exceptions
Minimum lot area (square feet)	0 square feet	
Minimum lot width (in feet)	0 feet	
Maximum building height (in feet)	35 feet	Measured by the finished grade, as specified in the approved project district phase II or III site plans. Building appurtenances, such as vent pipes, fans, elevator and stairway shafts, chimneys, cell or antennae, and equipment used for small scale energy systems on roofs, may extend an additional 10 feet in height above the building roof.

Minimum yard setbacks (in feet)		Notes and exceptions
Front	20 feet	Front, side, and rear yard setbacks for lots used only for utility or landscape purposes may be 0 feet.
Side	20 feet	
Rear	20 feet	

19.95.070 Land use districts, approximate acreages, and maximum residential density.

A. The following are established as the approximate acreages for the various land use districts within the Waiale Project District (South Area):

Residential district	98.4 acres
Village mixed use district	10 acres
Industrial district	0 acres
Public/Quasi-public district	0 acres
Park/Open space district	14.2 acres
Total	122.6 acres

B. The approximate acreages for the land use districts shall be applicable to the south area of Waiale project district and shall be modified upon the amendment of this ordinance for the north area of Waiale project district.

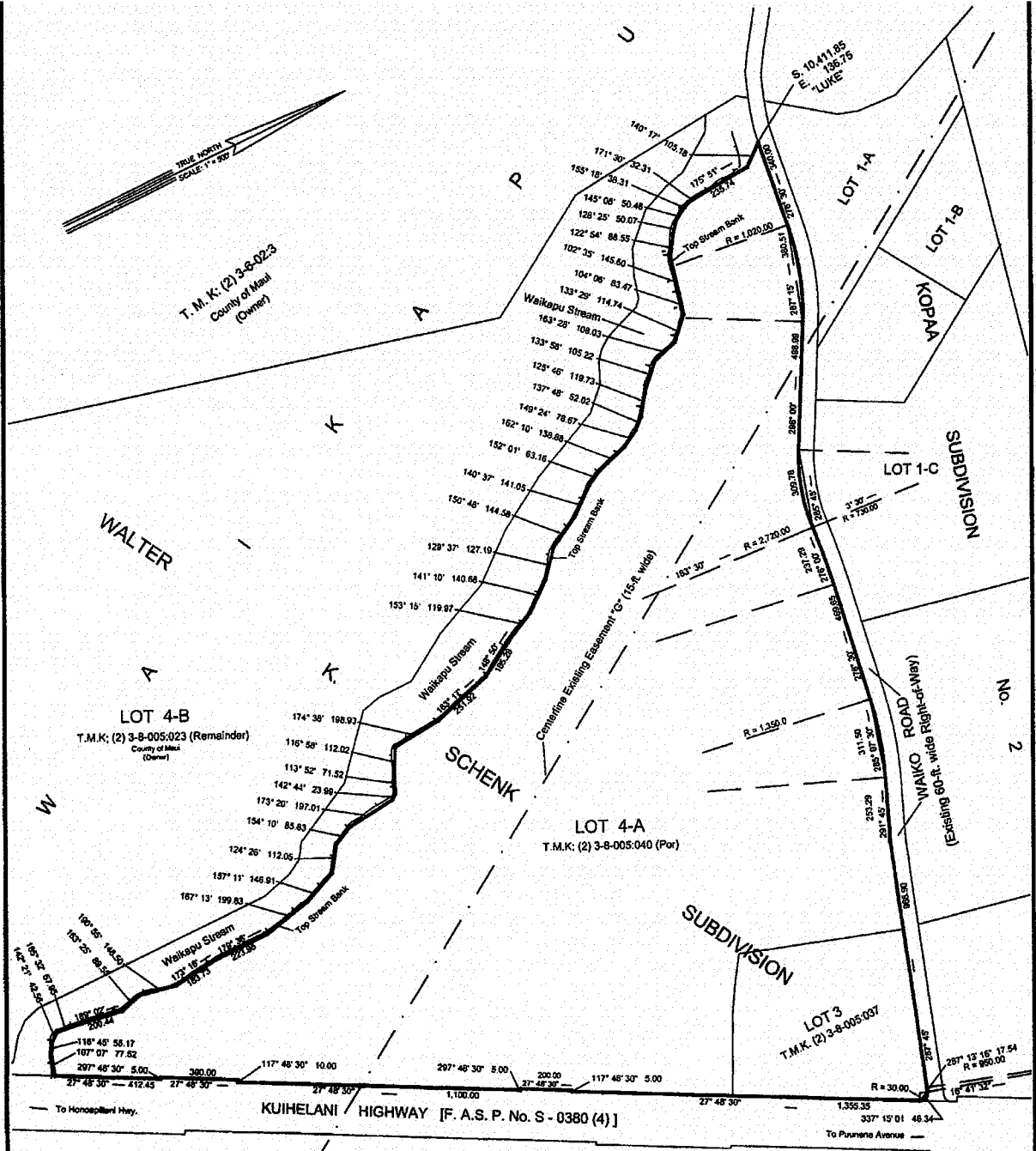
C. The south area of Waiale project district shall be limited to 950 residential units.

SECTION 2. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:



JENNIFER M.P.E. OANA
Deputy Corporation Counsel
County of Maui
2016-0253
2016-08-12 Ordinance Adding Chapter 19.95, MCC



TAX MAP KEY:
(2) 3-8-005:037, 040 (por.)

AREA:
122.635 Ac.

LAND ZONING MAP NO. 2704
CHANGE IN ZONING - WAIKAPU, WAILUKU, MAUI, HAWAII
FROM AG, AGRICULTURAL DISTRICT TO PROJECT DISTRICT
WAIKAPU PROJECT DISTRICT - SOUTH

APPROVED: _____ COUNTY CLERK _____ DATE _____	PUBLIC HEARING: November 24, 2015	
	ADOPTED - COUNCIL: _____ ADOPTED - MAYOR: _____ ORDINANCE NO.: _____	
APPROVED: <i>[Signature]</i> _____ PLANNING DIRECTOR _____ DATE _____	DATE: _____	SCALE: 1" = 500'

OFFICE OF THE COUNTY CLERK
200 S. HIGH STREET, WAILUKU MAUI, HAWAII 96793

L - 2704

BEFORE THE MAUI PLANNING COMMISSION

COUNTY OF MAUI

STATE OF HAWAII

In The Matter of The Applications of

MUNEKIYO HIRAGA
on behalf of
A&B PROPERTIES, INC.

To Obtain a Community Plan Amendment,
Change in Zoning, and Project District Phase I
Approval in order to construct "Wai'ale Project
District South", a master planned community
with residential, village mixed-use, parks and
open space areas located on approximately 123
acres of land at the corner of Kuihelani Highway
and East Waiko Road, Waikapu, Maui, Hawai'i;
on Maui Tax Map Key Nos.
(2) 3-8-005: 037 and 040 (por.)

DOCKET NOS. CPA 2015/0001
CIZ 2015/0001
PH1 2015/0001

A&B Properties, Inc.
Wai'ale Project District South
(D. Dias)

MAUI COUNTY PLANNING DEPARTMENT'S RECOMMENDATION
TO THE MAUI PLANNING COMMISSION
NOVEMBER 24, 2015 MEETING

DEPARTMENT OF PLANNING
COUNTY OF MAUI
2200 MAIN STREET, ROOM 315
WAILUKU, MAUI, HI. 96793

Community Plan Amendment
Change in Zoning
Project District Phase I Approval
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In The Matter of The Applications of

MUNEKIYO HIRAGA
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To Obtain a Community Plan Amendment,
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DOCKET NOS. CPA 2015/0001
CIZ 2015/0001
PH1 2015/0001

A&B Properties, Inc.
Wai'ale Project District South
(D. Dias)

CONCLUSIONS OF LAW

The proposed action complies with the applicable standards for a Community Plan Amendment and Change in Zoning. The proposed action will be consistent with its State Urban designation and be consistent with the Maui Island Plan. It will not create any adverse impacts on existing public infrastructure and/or public services provided that the Applicant construct the project in accordance with the representations made in the project application.

Pursuant to Section 19.510.050 of the Maui County Code, the proposed request meets the criteria for a Change of Zoning as follows:

- With the application of recommended conditions of approval, the proposed request meets the intent of the general plan along with the objectives and policies of the Wailuku-Kahului Community Plan;
- With the application of recommended conditions of approval, the proposed request will be consistent with the applicable community plan land use map, provided the Community Plan Amendment is approved;
- With the application of recommended conditions of approval, the proposed action meets the intent of the purpose of the zoning district being requested;
- With the application of recommended conditions of approval, the proposed action will not adversely affect or interfere with public or private schools, parks, playgrounds, water systems, sewage and solid waste disposal, drainage, roadway and transportation systems, or other public requirements, convenience, and improvements; and

- The proposed action will not adversely impact the social, cultural, economic, environmental, and ecological character and quality of the surrounding area.

RECOMMENDATION

COMMUNITY PLAN AMENDMENT:

The Department of Planning recommends that the Commission recommend approval of the Community Plan Amendment from Agriculture to Project District.

CHANGE IN ZONING:

The Department of Planning recommends that the Commission recommend approval of the Change in Zoning from Agriculture to Project District subject to the following conditions:

1. That residential workforce housing units shall be made available for occupancy either before or concurrently with market rate units at the same ratio required of the development, in accordance with Chapter 2.96 Maui County Code.
2. That an Archaeological Monitoring Plan for the Wai'ale South project area be submitted to the State Historic Preservation Division (SHPD) for review and approval prior to commencement of any construction work within the project area.

PROJECT DISTRICT PHASE I APPROVAL:

The Department of Planning recommends that the Commission recommend Project District Phase I Approval.

In consideration of the foregoing, the Planning Department recommends that the Maui Planning Commission adopt the Department of Planning's Report and Recommendation prepared for the November 24, 2015 meeting as its Report to the Maui Planning Commission and Maui County Council and authorize the Planning Director to transmit said Report and Recommendation to the Maui Planning Commission and Maui County Council.

APPROVED:



WILLIAM SPENCE

fr Planning Director

BEFORE THE MAUI PLANNING COMMISSION

COUNTY OF MAUI

STATE OF HAWAII

In The Matter of The Applications of

MUNEKIYO HIRAGA
on behalf of
A&B PROPERTIES, INC.

To Obtain a Community Plan Amendment,
Change in Zoning, and Project District Phase I
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District South", a master planned community
with residential, village mixed-use, parks and
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123 acres of land at the corner of Kuihelani
Highway and East Waiko Road, Waikapu,
Maui, Hawai'i; on Maui Tax Map Key Nos.
(2) 3-8-005: 037 and 040 (por.)

DOCKET NOS. CPA 2015/0001
CIZ 2015/0001
PH1 2015/0001

A&B Properties, Inc.
Wai'ale Project District South
(D. Dias)

MAUI COUNTY PLANNING DEPARTMENT'S REPORT
TO THE MAUI PLANNING COMMISSION
NOVEMBER 24, 2015 MEETING

DEPARTMENT OF PLANNING
COUNTY OF MAUI
2200 MAIN STREET, ROOM 315
WAILUKU, MAUI, HI. 96793

Community Plan Amendment
Change in Zoning
Project District Phase I Approval
K:\WP_DOCS\PLANNING\Cpa\2015\0001_Wai'aleProject\StaffReporttoApprovalMPC_Report.doc

BEFORE THE MAUI PLANNING COMMISSION

COUNTY OF MAUI

STATE OF HAWAII

In The Matter of The Application of

MUNEKIYO HIRAGA
on behalf of
A&B PROPERTIES, INC.

To Obtain a Community Plan Amendment, Change in Zoning, and Project District Phase I Approval in order to construct "Wai'ale Project District South", a master planned community with residential, village mixed-use, parks and open space areas located on approximately 123 acres of land at the corner of Kuihelani Highway and East Waiko Road, Waikapu, Maui, Hawai'i; on Maui Tax Map Key Nos. (2) 3-8-005: 037 and 040 (por.)

DOCKET NOS. CPA 2015/0001
CIZ 2015/0001
PH1 2015/0001

A&B Properties, Inc.
Wai'ale Project District South
(D. Dias)

DESCRIPTION OF THE PROJECT

The Applicant, Munekiyo Hiraga on behalf of A&B Properties, Inc. (Applicant) proposes to construct "Wai'ale Project District South" (Wai'ale South), a master planned residential community with village mixed-use areas, parks and open space, and landscaped entries and collector roads on property identified as TMK: (2) 3-8-005: 037 and 040 (por.) in Waikapu, Maui, Hawai'i at the corner of Kuihelani Highway and East Waiko Road. The project is located on a parcel of land approximately 123 acres in size. The project site is designated as "Urban" by the State Land Use Commission, "Agriculture" by the Wailuku-Kahului Community Plan, and zoned "Agricultural" by the County of Maui (**See Exhibits 1 & 2**). The Applicant is seeking a Community Plan Amendment from "Agriculture" to "Project District" and a Change in Zoning from "Agriculture" to "Project District", along with Project District Phase I approval.

Wai'ale South is the first phase of the Wai'ale Community Master Plan. The Wai'ale North portion of the Wai'ale Community Master Plan is located north of East Waiko Road and land use entitlements for this phase of the project will be addressed separately, at a later point in time. Both the Wai'ale South and the future Wai'ale North project areas will be implemented as a Project District pursuant to Chapter 19.45 of the Maui County Code. In line with the Maui Island Plan, the objective of the Wai'ale South project is to provide a range of new housing opportunities to Maui's working families in proximity to employment centers, schools, infrastructure, and public services. Planning for Wai'ale South was guided by smart growth principles, such as including a mix of land uses, preserving open space, providing transportation options, and strengthening existing communities (**Exhibits 3 & 4**).

Master planned as a walkable community of connected neighborhoods, Wai'ale South envisions approximately 950 single and multi-family homes organized around a centrally located park. Approximately 60% of the homes will be multi-family and 40% single family. It also includes a village mixed-use area, park, open space areas, and a connected network of roadways and greenways with a multimodal pedestrian-bike path (**Exhibits 5 thru 9**).

A total of three (3) project accesses to the Wai'ale South project area are planned off of Kuihelani Highway and East Waiko Road. Landscape buffers are planned along Kuihelani Highway and East Waiko Road as well as at key intersections. A greenway with a meandering path for pedestrians and bicyclists is also planned along Waikapu Stream, completing the greenway trail network that will loop through the project (**Exhibits 10 thru 15**).

PURPOSE AND NEED:

According to the Maui Island Plan (MIP), Wai'ale is the largest proposed community on the island of Maui and the largest planned growth area in the Wailuku-Kahului region. Wai'ale is intended to provide approximately one half of the future housing units required for the Central Maui region. The MIP's reference to Wai'ale encompasses both the Wai'ale South and Wai'ale North project areas.

Through mid-year 2014, the housing market on Maui has appreciated faster than statewide price appreciation, and new home developments have experienced strong market demand. Rental housing demand has also increased as evidenced by higher occupancy rates and rising rents. These conditions are expected to continue and are projected to lead to a period of undersupply extending several years, to approximately the year 2020. Wai'ale has the potential to provide a significant share of the regional housing needs forecast for the Central Maui region.

PROJECT COST AND SCHEDULE:

The construction cost of the Wai'ale South project is currently estimated at approximately \$219 million. The project will be initiated upon receipt of the Community Plan Amendment (CPA), Change In Zoning (CIZ), and Project District Development approvals and applicable construction-related permits. Construction is anticipated to start in 2018.

BRIEF HISTORY OF PROJECT

In total, the Wai'ale Community Master Plan encompasses approximately 545 acres. (**Exhibit 3**) The Final Environmental Impact Statement for the Wai'ale planned growth area was accepted by the Land Use Commission at its November 4, 2011 meeting. Additionally, the State Land Use Commission reclassified Wai'ale's 545 acres to the State "Urban" land use district in February 2012. Since then, A&B Properties, Inc. (A&B) has been in discussions with various County agencies, including the Department of Planning, Department of Environmental Management, Department of Public Works, Department of Parks and Recreation, and Department of Housing and Human Concerns, and the State Department of Education to address various matters relating to the Wai'ale planned growth area.

While the entirety of the Wai'ale planned growth area (545 acres) is eligible for County land use entitlements, the Applicant has decided to pursue development implementation in a manner which they feel better addresses market needs and infrastructure concurrency considerations. Therefore, the initial County land use applications are submitted for the Wai'ale South area, which comprises the portion of the project area south of East Waiko Road, totaling approximately 123 acres. County land use entitlements applications for the portion of Wai'ale lying north of East Waiko Road (Wai'ale North) will be prepared and processed at a later time. The Wai'ale North area includes land use allocations for a new middle school, County-sponsored affordable housing, a new community center, and community parks and open space.

DESCRIPTION OF THE PROPERTY

1. The project area is identified as Maui Tax Map Key No. (2) 3-8-005: 037 and 040 (por.), is approximately 123 acres in size, and located in Waikapu at the corner of Kuihelani Highway and East Waiko Road ("Property").

2. Land Use Designations --

- | | | |
|----|-----------------------------------|------------------------------------|
| a. | State Land Use District -- | Urban |
| b. | Maui Island Plan -- | Within the "Urban" Growth Boundary |
| c. | Wailuku-Kahului Community Plan -- | Agriculture |
| d. | County Zoning -- | Agricultural |

3. Surrounding Uses --

- | | |
|----------|--|
| North -- | Waiko Road, Consolidated Baseyard, and vacant land |
| East -- | Kuihelani Highway and vacant land |
| South -- | Kuihelani Highway, Waikapu Stream, and sugar cane fields |
| West -- | Waikapu Stream and sugar cane fields |

1. Topography/Current Uses --

The property is currently vacant, comprised of fallow sugar cane fields. The site has been graded to have fairly consistent land slopes, generally in an east or northeasterly direction toward East Waiko Road with an average slope of two (2) to three (3) percent. The existing elevations range between 200 -- 300 feet above mean sea level (msl). According to the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service, soils within the property are primarily Jaucus Sand, 0 to 15 percent slopes (JaC) and a portion of the project area along East Waiko Road is Pu'uone Sand, 7 to 30 percent slopes. These soils are moderately alkaline, runoff is slow, and permeability is rapid. According to the USDA, these soil types are typically used for pasture, sugar cane, truck crops, alfalfa, recreational areas, wildlife habitat, and urban development (Exhibits 16 thru 19).

APPLICABLE REGULATIONS

Community Plan Amendment

Applications shall follow the procedures set out in Sections 19.510.010 and 19.510.020 of the Maui County Code, shall include the application fee as set forth in the County budget, and shall be processed as if prepared by the planning director pursuant to Section 8-8.4 of the charter. An environmental assessment or environmental impact statement prepared in accordance with Chapter 343, Hawai'i Revised Statutes, shall be submitted along with (or prior to) the application.

The Planning Commission shall transmit its findings, conclusions, and recommendations to the County Council, the applicant, public agencies, and all interested parties within one hundred twenty days.

Change in Zoning

The County Council may grant a change of zoning if all of the following criteria are met:

- a. The proposed request meets the intent of the general plan and the objectives and policies of the community plans of the County,
- b. The proposed request is consistent with the applicable community plan land use map of the County,
- c. The proposed request meets the intent and purpose of the district being requested,
- d. The application, if granted, would not adversely affect or interfere with public or private schools, parks, playgrounds, water systems, sewage and solid waste disposal, drainage, roadway and transportation systems, or other public requirements, conveniences and improvements,
- e. The application, if granted, would not adversely impact the social, cultural, economic, environmental, and ecological character and quality of the surrounding area, and
- f. If the application change in zoning involves the establishment of an agricultural district with a minimum lot size of two acres, an agricultural feasibility study shall be required and reviewed by the Department of Agriculture and the United States Soil and Conservation Service.

In the case in which the owners or lessees of forty percent or more of the land located within a five-hundred-foot distance from the boundaries of the subject parcel have filed written protests, the ordinance which grants the application shall not become effective unless approved by a vote of seven members of the County Council.

The Council may impose conditions on the Change in Zoning. The conditions shall be imposed if the Council finds them necessary to prevent circumstances which may be adverse to the public health, safety, convenience, and welfare. The conditions shall be reasonably conceived to mitigate the impacts emanating from the proposed land use and shall meet the following criteria:

1. That the public shall be protected from the potentially deleterious effects of the proposed use; and
2. That the need for public services created by the proposed use shall be fulfilled.

Project District Development Phase I:

Phase I approval shall be processed as follows:

1. After receiving an application for a project district development, the planning director shall submit to the Planning Commission one or more proposed project district ordinances, which provide project district zoning district standards including permitted land uses, accessory uses, special uses, densities, heights, setbacks, lot dimensions, and other development standards. The Planning Commission shall hold a public hearing on the proposed ordinances in the affected community plan region. After the public hearing, the Planning Commission shall submit its recommendations and the proposed ordinances to the Council. The Council may approve the ordinances with or without modifications (See proposed Wai'ale Project District Description and Ordinance: Exhibit 20).
2. If the project district ordinance requires unilateral or bilateral agreements then, after the Council approves the project district ordinance, the applicant shall negotiate the terms of the agreements with the mayor or the mayor's designated representative in accordance with the representations made to the Council. Agreements shall be drafted so as to be enforceable by the County, and shall bind all persons having an interest in the property. The Council may approve unilateral agreements with or without modifications and, after proper execution, shall record the agreements with the Bureau of Conveyances or the land court. Unless otherwise provided in the project district ordinance, no further approvals shall be granted until all required unilateral agreements have been recorded, and all required executed bilateral agreements have been transmitted to the Council for its information.

CHAPTER 343, Hawai'i Revised Statutes:

The proposed project includes connections to the County's roadways and utilities, road widening and drainage improvements involving work within the County right-of-ways and the use of County lands. The use of County lands and proposed Community Plan Amendment are triggers for Chapter 343, HRS. As such, a Draft Environmental Impact Statement (EIS) and Final EIS were prepared in accordance with Chapter 343, HRS and Chapter 200 of Title 11, Hawai'i Administrative Rules (HAR). The Final EIS was accepted by the State Land Use Commission on November 4, 2011. The Final EIS was published by the Office of Environmental Quality Control (OEQC), in their November 23, 2011 Environmental Notice. No appeals were filed during the 60-day challenge period.

PROCEDURAL MATTERS

1. On February 4, 2015 a Notice of Application for Community Plan Amendment and a Notice of Filing of Application for a Change in Zoning was mailed by the consultant to owners and lessees within 500 feet of the property.
2. On March 20, 2015, the Planning Department transmitted copies of the CPA, CIZ, and PH1 applications with a request for comment and recommendation to the appropriate State and County agencies.

3. On May 28, 2015, the Planning Department transmitted a reminder requesting comment and recommendation to the State and County agencies that did not respond to the previous request for comment and recommendation on the CPA, CIZ, and PH1 applications
4. On October 8, 2015, the Maui Planning Department informed the applicant and appropriate State and County agencies notifying them of the scheduled public hearing on the CPA, CIZ, and PH1 applications.
5. On October 21, 2015 a letter of notification and location map was mailed by the consultant for the applicant to all owners and recorded lessees within 500 ft. of the subject property describing the application and notifying them of the scheduled hearing date, time and place by either certified or registered mail receipt. Copies of the letters, location map, list of owners and recorded lessees, certified and registered mail receipts are on file in the Planning Department.
6. On October 23, 2015, a notice of hearing on the applications was published by the Maui Planning Department in the Maui News.

REVIEWING AGENCIES

The following agencies responded to requests for comment. If the Applicant provided a response to the agency, their response is included with the agency's comment letter along with any subsequent response from the agency.

In addition, the project was sent to reviewing agencies on two separate occasions; once during the Chapter 343 Environmental Impact Statement process, and the second for the combined Community Plan Amendment, Change in Zoning, and Project District Development Phase I Application. As such, most agency comment letters will either reference the Environmental Impact Statement or the Community Plan Amendment, Change in Zoning, and Project District Development Phase I Application.

County Agencies:	Comment	Exhibit Number
Department of Public Works	Yes	Exhibit 21
Department of Water Supply	Yes	Exhibit 22
Department of Environmental Management	Yes	Exhibit 23
Department of Housing and Human Concerns	Yes	Exhibit 24
Department of Parks and Recreation	Yes	Exhibit 25
Maui Police Department	Yes	Exhibit 26

State Agencies:	Comment	Exhibit Number
Department of Accounting and General Services	Yes	Exhibit 27

Department of Health	Yes	Exhibit 28
Department of Health (Maui District Office)	Yes	Exhibit 29
Department of Education	Yes	Exhibit 30
Office of Planning	Yes	Exhibit 31
Department of Agriculture	Yes	Exhibit 32
Office of Environmental Quality and Control	Yes	Exhibit 33
Department of Land and Natural Resources- State Historic Preservation Division	Yes	Exhibit 34
Department of Transportation	Yes	Exhibit 35

ANALYSIS

LAND USE

1. The proposed project is in conformance with the goals, objectives and policies of the Hawai'i State Plan.
2. The subject property is in the State "Urban" District. The proposed uses are consistent with the "Urban" designation of the property. The proposed project is a permitted use within the "Urban" District. Chapter 205, HRS states:

(b) Urban districts shall include activities or uses as provided by ordinance or regulations of the County within the urban district is situated.

Concurrent applications for a Community Plan Amendment, Change in Zoning, and Project District Development Phase I are being processed for the proposed uses. Upon adoption of the land use amendments, the proposed uses will be consistent with the ordinances and regulations of the County of Maui. As such, the proposed development will be compliant with the State Urban District.

3. As stated in the Maui County Charter, as amended in 2002:

The General Plan shall indicate desired population and physical development patterns for each island and region within the County; shall address the unique problems and needs of each island and region; shall explain the opportunities and the social, economic, and environmental consequences related to potential developments; and shall set forth the desired sequence, patterns, and characteristics of future developments. The general plan shall identify objectives to be achieved, and priorities, policies, and implementing actions to be pursued with respect to population density, land use maps, land use regulations, transportation systems, public and community facility locations, water and sewage systems, visitor destinations, urban design, and other matters related to

development.

The County of Maui 2030 General Plan Countywide Policy Plan, adopted by the Maui County Council on March 19, 2010, is the first component of the decennial General Plan update. The Countywide Policy Plan replaces the General Plan as adopted in 1990 and amended in 2002. The Countywide Policy Plan acts as an over-arching values statement and umbrella policy document for the Maui Island Plan and the nine Community Plans that provides broad goals, objectives, policies, and implementing actions that portray the desired direction of the County's future. The plan includes:

1. A vision statement and core values for the County to the year 2030
2. An explanation of the plan-making process
3. A description and background information regarding Maui County today
4. Identification of guiding principles
5. A list of Countywide goals, objectives; policies, and implementing actions related to the following core themes:
 - A. Protect the Natural Environment
 - B. Preserve Local Cultures and Traditions
 - C. Improve Education
 - D. Strengthen Social and Healthcare Services
 - E. Expand Housing Opportunities for Residents
 - F. Strengthen the Local Economy
 - G. Improve Parks and Public Facilities
 - H. Diversify Transportation Options
 - I. Improve Physical Infrastructure
 - J. Promote Sustainable Land Use and Growth Management
 - K. Strive for Good Governance

The proposed action is in keeping with the following Countywide Policy Plan goals, objectives, policies and actions:

THEME: *Expand Housing Opportunities for Residents*

GOAL: *Quality, island-appropriate housing will be available to all residents.*

Objective: *Reduce the affordable housing deficit for residents.*

Policies:

- a. *Ensure that an adequate and permanent supply of affordable*

housing, both new and existing units, is made available for purchase or rental to our resident and/or workforce population, with special emphasis on providing housing for low- to moderate-income families, and ensure that all affordable housing remains affordable in perpetuity.

- b. Seek innovative ways to lower housing costs without compromising the quality of our island lifestyle.*

Objective: *Increase the mix of housing types in towns and neighborhoods to promote sustainable land use planning, expand consumer choice, and protect the County's rural and small town character.*

Policies:

- b. Design neighborhoods to foster interaction among neighbors.*
- c. Encourage a mix of social, economic, and age groups within neighborhoods.*

THEME: *Improve Parks and Public Facilities*

GOAL: *A full range of island-appropriate public facilities and recreational opportunities will be provided to improve the quality of life for residents and visitors.*

Policies:

- b. Expand and enhance the network of parks, multi-use paths, and bikeways.*

THEME: *Diversify Transportation Options*

GOAL: *Maui County will have an efficient, economical, and environmentally sensitive means of moving people and goods.*

Objective: *Reduce the reliance on the automobile and fossil fuels by encouraging walking, bicycling, and other energy-efficient and safe alternative modes of transportation.*

Policies:

- a. Make walking and bicycling transportation safe and easy between and within communities.*
- b. Require development to be designed with the pedestrian in mind.*

THEME: *Improve Physical Infrastructure*

GOAL: *Maui County's physical infrastructure will be maintained in optimum condition and will provide for and effectively serve the needs of the County through clean and sustainable technologies.*

Objective: *Improve water systems to assure access to sustainable, clean, reliable, and affordable sources of water.*

Policies:

- a. Ensure that adequate supplies of water are available prior to approval of subdivision or construction documents.*
- b. Develop and fund improved water-delivery systems.*

Objective: *Improve the planning and management of infrastructure systems.*

Policies:

- g. Ensure that infrastructure is built concurrent with or prior to development.*
- j. Promote the undergrounding of utility and other distribution lines for health, safety, and aesthetic reasons.*

THEME: *Promote Sustainable Land Use and Growth Management*

GOAL: *Community character, lifestyles, economies, and natural assets will be preserved by managing growth and using land in a sustainable manner.*

Objective: *Improve land use management and implement a directed-growth strategy.*

Policy:

- b. Direct urban and rural growth to designated areas.*

Objective: *Design all developments to be in harmony with the environment and to protect each community's sense of place.*

Policies:

- d. Ensure that adequate recreational areas, open spaces, and public-gathering places are provided and maintained in all urban centers and neighborhoods.*
- f. Use trees and other forms of landscaping along rights-of-way and within parking lots to provide shade, beauty, urban-heat reduction, and separation of pedestrians from automobile traffic in*

accordance with community desires.

- g. Where appropriate, integrate public-transit, equestrian, pedestrian, and bicycle facilities, and public rights-of-way as design elements in new and existing communities.*

Objective: *Improve and increase efficiency in land use planning and management.*

Policies:

- b. Ensure that new development projects requiring discretionary permits demonstrate a community need, show consistency with the General Plan, and provide an analysis of impacts.*

THEME: *Promote Sustainable Land Use and Growth Management*

GOAL: *Community character, lifestyles, economies, and natural assets will be preserved by managing growth and using land in a sustainable manner.*

Objective: *Improve land use management and implement a directed-growth strategy.*

Policies:

- b. Direct urban and rural growth to designated areas.*
- e. Encourage redevelopment and infill in existing communities on lands intended for urban use to protect productive farm land and open-space resources.*
- h. Direct new development in and around communities with existing infrastructure and service capacity, and protect natural, scenic, shoreline, and cultural resources.*

4. The Maui Island Plan (MIP) was adopted by the County Council on December 28, 2012. The Plan provides direction for future growth, the economy, and social and environmental decisions through the year 2030. The plan looks comprehensively at many factors that influence the physical, social and economic development of the island. In addition to establishing a directed growth strategy to identify areas appropriate for future urbanization and revitalization, the plan also identifies and addresses key environmental, housing, and economic development issues relevant to Maui's current and future generations. The plan is intended by the County Council, Planning Department, and Maui Planning Commission as a policy foundation for day to day decisions and is specifically intended to be used to assist in reviewing discretionary permits.

The subject parcel is in the MIP Urban Growth Boundary (UGB). The proposed project is in conformance with the following MIP goal and objective:

ECONOMIC DEVELOPMENT

Goal: 4.1 *Maui will have a balanced economy composed of a variety of industries that offer employment opportunities and well-paying jobs and a business environment that is sensitive to resident needs and the island's unique natural and cultural resources.*

Objective: 4.1.1 *A more diversified economy.*

4.1.3 *Improve the island's business climate.*

Policies: 4.1.1.b *Support the creation of new jobs and industries that provide a livable wage.*

4.1.1.c *Facilitate and expedite permits and approvals.*

HOUSING

Goal: 5.1 *Maui will have safe, decent, appropriate, and affordable housing for all residents developed in a way that contributes to strong neighborhoods and a thriving island community.*

Objective: 5.1.1 *More livable communities that provide for a mix of housing types, land uses, income levels, and age.*

Policies: 5.1.1.a *Promote livable communities (compact/walkable/ bikeable, access to transit) that provide for a mix of housing types and land uses, including parks, open space, and recreational areas.*

5.1.1.b *Promote planning approaches that provide a mix of multifamily and single-family housing units to expand housing choices.*

5.1.1.e *Use planning and regulatory approaches to provide higher housing densities.*

INFRASTRUCTURE AND PUBLIC FACILITIES

Goal: 6.2 *Maui will have wastewater systems that comply with or exceed State and Federal regulations; meet levels-of-service needs; provide adequate capacity to accommodate projected demand; ensure efficient, effective, and environmentally sensitive operation; and maximize wastewater reuse where feasible.*

Objective: 6.2.1 *A wastewater planning program capable of efficiently providing timely and adequate capacity to service projected demand where*

economically feasible and practicable.

Policies: **6.2.1.b** *Focus the expansion of wastewater systems to accommodate planned growth consistent with the MIP Directed Growth Strategy.*

6.2.1.c *Establish new wastewater treatment plant(s) outside the tsunami zone.*

Objective: **6.2.2** *Adequate levels of wastewater service with minimal environmental impacts.*

Policy: **6.2.2.a** *Meet or exceed all State and Federal standards regulating wastewater disposal or reuse.*

Goal: **6.4** *An interconnected, efficient, and well-maintained, multimodal transportation system.*

Policy: **6.4.1.a** *Plan for an integrated multi-modal transportation system comprised of public transit, bicycle, pedestrian, automobile, and other transportation modes.*

Objective: **6.4.2** *Safe, interconnected transit, roadway, bicycle, equestrian, and pedestrian network.*

Policy: **6.4.2.a** *Ensure transit-, roadway-, and pedestrian-facilities design and level-of-service standards respect the unique character of our communities.*

Goal: **6.6** *Maui will have a diverse range of active and passive recreational parks, wilderness areas, and other natural-resource areas linked, where feasible, by a network of greenways, bikeways, pathways, and roads that are accessible to all.*

Objective: **6.6.3** *An expanded network of greenways, trails, pathways, and bikeways.*

Policy: **6.6.3.a** *Link existing and future park sites, natural areas, the shoreline, and residential areas with a network of bikeways, pedestrian paths, trails, and greenways.*

LAND USE

Goal: **7.3** *Maui will have livable human-scale urban communities, an efficient and sustainable land use pattern, and sufficient housing and services for Maui residents*

Objective: **7.3.1** *Facilitate and support a more compact, efficient, human-scale urban development pattern.*

Policies: *7.3.1.a Ensure higher-density compact urban communities, infill, and redevelopment of underutilized urban lots within Urban Growth Boundaries.*

Objective: *7.3.2 Facilitate more self-sufficient and sustainable communities.*

Policies: *7.3.2.a When developing new communities, provide sufficient lands for commercial, appropriate industrial, educational, spiritual, and non-profit uses to serve the daily needs of community residents.*

7.3.2.i Develop communities that provide sufficient parks, schools, libraries, and other essential public facilities and services to serve resident needs.

DIRECTED GROWTH PLAN

Goal: *8.1 Maui will have well-served, complete, and vibrant urban communities and traditional small towns through sound planning and clearly defined development expectations.*

Policies: *8.1.e New development shall be consistent with the UGBs, STBs, and all other applicable policies of the MIP. New urban-density development shall not be allowed outside of a UGB or STB.*

The proposed project is consistent with the goals, objectives, and policies of the Maui Island Plan.

5. According to the Wailuku-Kahului Community Plan the property is currently identified as "Agriculture". A Community Plan Amendment application was submitted for this project requesting a "Project District" designation. The description of the proposed Project District is attached as **Exhibit 20**.

The proposed project is supported by the following Wailuku-Kahului Community Plan goals, objectives, and policies:

ENVIRONMENT

Goal: *A clean and attractive physical and natural environment in which man-made developments or alterations to the natural environment relate to sound environmental and ecological practices, and important scenic and open space resources are maintained for public use and enjoyment.*

Objectives and Policies

6. *Encourage the use of siltation basins and other erosion control features in the design of drainage systems.*
13. *Support energy conservation measures, including the use of solar heating and photovoltaic systems, in conjunction with urban uses.*

14. *Promote the planting and maintenance of trees and other landscape planting to enhance the streetscapes and the built-environment.*

HOUSING

Goal: *A sufficient supply and choice of attractive, sanitary and affordable housing accommodations for the broad cross section of residents, including the elderly.*

Objectives and Policies

1. *Utilize a project district planning approach for major housing expansion areas which will allow flexibility in project planning. This will provide for flexible development standards and a mix of housing types which can result in more efficient site utilization and potential reductions in housing development costs.*
2. *Provide sufficient land areas for new residential growth which relax constraints on the housing market and afford variety in type, price, and location of units. Opportunities for the provision of housing are presently constrained by a lack of expansion areas. This condition should be relieved by a choice of housing in a variety of locations, both rural and urban in character.*
6. *Coordinate the planning, design and construction of public infrastructure improvements with major residential projects that have an affordable housing component.*
7. *Plan, design and construct off-site public infrastructure improvements (i.e. water, roads, sewer, drainage, police and fire protection, and solid waste) in anticipation of residential, commercial and industrial developments defined in the Community Plan.*

SOCIAL INFRASTRUCTURE

Goal: *Develop and maintain an efficient and responsive system of public services which promotes a safe, healthy and enjoyable lifestyle, accommodates the needs of young, elderly, disabled and disadvantaged persons, and offers opportunities for self-improvement and community well-being.*

Recreation

Objectives and Policies

1. *Provide park and recreation areas as an integral part of project district specifications which will accommodate the needs of population growth.*
16. *Ensure that adequate regional/community park facilities are provided to service new residential developments.*

Education

Objectives and Policies

1. *Allocate sufficient land areas as part of residential project district specifications to meet future school site needs.*
3. *Coordinate the development of school facilities with the State Department of Education in conjunction with planned residential projects.*

Implementing Actions

1. *Where possible during the zoning process, ensure that applicants contribute to the development, funding, and/or construction of school facilities on a fair-share basis as determined by and to the satisfaction of the State Department of Education. Terms of the contribution shall be agreed upon by the applicant and the State Department of Education prior to the applicant applying for building permits.*

GOVERNMENT

Goal: Government that demonstrates the highest standards of fairness; responsiveness to the needs of the community; fiscal integrity; effectiveness in planning and implementation of programs and projects; a fair and equitable approach to taxation and regulation; and efficient, results-oriented management.

Objectives and Policies

3. *Streamline the land use, building permit and subdivision approval processes.*
6. *Support public and private partnerships to fund the planning and construction of infrastructure.*

Implementing Actions

1. *Streamline the land use, building permit and subdivision processes through means such as consolidated public hearings and concurrent processing of applications.*

LAND USE

Goal: An attractive, well-planned community with a mixture of compatible land uses in appropriate areas to accommodate the future needs of residents and visitors in a manner that provides for the social and economic well-being of residents and the preservation and enhancement of the region's environmental resources and traditional towns and villages.

Objectives and Policies

6. *Establish an adequate supply of urban land use designations to meet the needs of the community over the next 20 years.*

7. *The Community Plan map shall define the urban growth limits for the region.*
8. *Maintain a project district approach for the major residential growth areas adjacent to Wailuku, Kahului, and Waiehu to allow flexibility in master planning. These project districts may contain a variety of residential unit types as well as supporting community services, including business, public, recreational and educational facilities.*

INFRASTRUCTURE

Goal: Timely and environmentally sound planning, development and maintenance of infrastructure systems which serve to protect and preserve the safety and health of the region's residents, commuters and visitors through the provision of clean water, effective waste disposal and drainage systems, and efficient transportation systems which meet the needs of the community.

Water and Utilities

Objective and Policies

1. *Coordinate water system improvement plans with growth areas to ensure adequate supply and a program to replace deteriorating portions of the distribution system. Future growth should be phased to be in concert with the service capacity of the water system.*
6. *Coordinate expansion of and improvements to the water system to coincide with the development of residential expansion areas.*
7. *Promote conservation of potable water through the use of treated waste water effluent for irrigation.*

Implementing Actions

3. *Plan and construct water system improvements, including additional source, transmission, and storage capabilities.*

Liquid and Solid Waste

Objectives and Policies

1. *Coordinate sewer system improvement plans with future growth requirements, as defined in the Community Plan.*
4. *Reuse the treated effluent from the County's waste water treatment system for irrigation and other suitable purposes in a manner that is environmentally sound.*

Drainage

Objectives and Policies

2. ***Respect natural drainageways as part of good land development.***
4. ***Ensure that stormwater runoff and siltation from proposed development will not adversely affect the marine environment and nearshore and offshore water quality. Minimize the increase in discharge of storm water runoff to coastal waters by preserving flood storage capacity in low-lying areas, and encouraging infiltration of runoff.***
5. ***Encourage the incorporation of drainageways, setbacks, and flood protection areas into greenways consisting of open space, pedestrian way and bikeway networks.***

Transportation

Objectives and Policies

2. ***Provide bikeway and walkway systems in the Wailuku-Kahului area which offer safe and pleasant means of access, particularly along routes accessing residential districts, major community facilities and activity centers, school sites, and the shoreline between Kahului Harbor and Pa'ia.***
6. ***Accommodate bicycle and pedestrian ways within planned roadway improvements.***

URBAN DESIGN

Goal: An attractive and functionally integrated urban environment that enhances neighborhood character, promotes quality design, defines a unified landscape planting and beautification theme along major public roads and highways, watercourses and at major public facilities, and recognizes the historic importance and traditions of the region.

Objectives and Policies for the Wailuku-Kahului Region in General

2. ***Maintain a design quality for commercial and public projects and large-scale master planned developments.***
3. ***Improve pedestrian and bicycle access within the region.***
4. ***Establish, expand and maintain parks, public facilities and public shoreline areas.***
5. ***Integrate stream channels and gulches into the region's open space system for purposes of safety, open space relief, greenways for public use and visual separation. Drainage channels and siltation basins should not be used for***

building sites, but rather for public open space. Drainage channel rights-of-way and easements may also be used for pedestrian and bikeway facilities.

10. *Incorporate drought tolerant plant species and xeriscaping in future landscape planting.*
 12. *Existing and future public rights-of-way along roads and parks shall be planted with appropriate trees, turfgrass and ground covers.*
6. **Maui County Zoning.** The project site is zoned Agricultural District. A Change in Zoning application for Project District zoning is being processed. The application package includes a Project District Development Phase 1 application, along with design principles which includes a framework for a proposed Project District ordinance (**Exhibit 20**). Upon adoption of the Change in Zoning the proposed uses will be compliant with Title 19 of the Maui County Code.

AGRICULTURE

The proposed project is located on fallow agricultural land, however the State Land Use Commission has designated the land for Urban uses. The proposed project will not impact agriculture on the island. In addition

ARCHAEOLOGICAL, HISTORIC AND CULTURAL RESOURCES

Per letter dated February 28, 2010, the State Historic Preservation Division (SHPD) indicates that an archaeological inventory survey was conducted on 607 acres of land, including the Wai'ale South area, between June 2008 and September 2009. No historic properties were identified within the Wai'ale South area as a result of that survey, however, archaeological monitoring was recommended for sandy locations in the project area and any locales not subject to testing. The Applicant and consultant participated in a site visit at the project site with an SHPD archaeologist on October 22, 2015. As a result of the site visit, the Applicant has agreed to prepare an Archaeological Monitoring Plan for Wai'ale South and submit the Plan to SHPD for approval. Should any discoveries be made, all activities within the area of the find will cease and SHPD will be contacted for further consultation.

The recommendation for this project will include a condition requiring an Archaeological Monitoring Plan be submitted and approved by SHPD prior to any construction work. With said Plan in place and fully implemented, it is not anticipated that there will be significant impacts to archaeological, historic, and cultural resources.

INFRASTRUCTURE AND PUBLIC FACILITIES AND SERVICES

(See relevant portions of the Preliminary Drainage and Engineering Report: Exhibit 36)

1. **Water** – There are no existing domestic waterlines servicing the project area. The County of Maui, Department of Water Supply (DWS) provides water services within the vicinity of the project through the Waikapu Reservoir storage tank. A 12-inch transmission main conveys water from the Waikapu Reservoir down Waiko Road to service users in the area. A 12-inch waterline in Pakana Street connects to the

transmission main to supply water to the Waiko Baseyard Subdivision. DWS also has two (2) transmission waterlines which are not used to service users in the area, but pass through the vicinity of the project and head toward Kihei.

DWS storage tanks in the vicinity of the project include the Waikapu 300,000-gallon Concrete Reservoir, Kehalani Mauka 1.5 million gallon (MG) Concrete Mid-level Tank, Wailuku Heights 20,000-gallon Steel Tank, and Wai'ale 3.0 MG Concrete Tank. In a letter dated October 27, 2010, DWS advised that water source was not available to accommodate new customers according to system standards on the Central Maui system.

Using County of Maui Department of Water Supply Water System Standards, the Applicant anticipates that the average daily water demand for the project is 590,300 gallons per day (gdp). The maximum daily demand is estimated at 885,000 gdp.

A&B is actively pursuing opportunities to provide a viable potable water source to serve the Project. A&B is in discussions with the County of Maui, as well as other landowners and developers within the region, to identify and evaluate the potential of new potable groundwater sources. These opportunities include the development of new groundwater wells within the Waikapu Aquifer which could serve the Project, as well as the needs of the larger community. Related water transmission and storage infrastructure needs are also being evaluated. All source alternatives will require further discussion, review, and approval by applicable governmental agencies as the project proceeds. A&B is undertaking this work well in advance of the Wai'ale South project in order to ensure that the potable water needs are met on a timely basis. According to the DWS, water system improvement requirements will be determined during the subdivision process.

2. **Sewers** – There are no County sewer lines in the vicinity of the project. The closest County sewerline is a gravity line that runs through Waikapu Gardens and along Wai'ale Road, conveying wastewater to the Wailuku Wastewater Pump System (WWPS). The WWPS pumps the wastewater to the Wailuku-Kahului Wastewater Reclamation Facility (W-K WWRF) for treatment. The plant design capacity of the W-K WWRF is 7.9 million gallons per day. There are four (4) private WWPSs in the surrounding area that pump wastewater into the County's gravity line and one (1) individual wastewater system that conveys effluent to leaching fields.

While the existing Wailuku-Kahului Wastewater Reclamation Facility (W-K WWRF) has excess treatment capacity, it is insufficient to meet the needs of the entire Wai'ale project. Therefore, a separate wastewater treatment facility is being proposed. The proposed system is anticipated to require about four (4) to five (5) acres of land for a gravity sewer system and wastewater treatment plant that would produce and store R-1 water for irrigation. A&B has been in discussions with the County of Maui, DEM regarding plans for a regional treatment facility which could serve the project. A&B will continue discussions with the DEM regarding a regional plant to serve Wai'ale and other nearby areas and will contribute its fair share to the implementation of the final treatment solution. A&B and DEM have also discussed the possibility of connecting to the W-K WWRF on an interim basis if necessary.

Therefore, the proposed project is not anticipated to affect wastewater facilities in the

County as the Applicant will be required to construct their own facility.

3. **Drainage** – Currently, there are no onsite drainageways or stormdrain systems in the project area that carry concentrated stormwater runoff. The site slopes generally in an easterly direction towards Kuihelani Highway, but the underlying sandy onsite soils have high infiltration rates and rainfall from smaller storms is typically absorbed. A berm along most of the highway frontage also helps capture runoff during larger storms. Kuihelani Highway has a high point near the center of the site, which divides runoff that drains south to the Waikapu Stream watershed from what drains north to the Kahului Bay watershed.

Retention basins are proposed for the north and south portions of the project area. Both retention basins (north and south) will be located east of Kuihelani Highway on HC&S land and will require new stormdrain systems to be constructed under the highway to convey the project runoff to those basins. These new drainlines under the highway will need to be permitted and approved by the Hawai'i Department of Transportation (HDOT). An alternate scenario using Low Impact Development (LID) techniques (e.g., bioretention basins, porous pavement) or onsite retention basins is also being explored. Additionally, a stormwater management system is being proposed to provide water quality treatment for approximately 90 percent of the annual rainfall using Best Management Practices.

4. **Roadways, Curbs, Gutters and Sidewalks** – An updated Traffic Impact Analysis Report (TIAR) was prepared for the Wai'ale South project area (Relevant portions of the TIAR are attached as Exhibit 37). Analysis was performed on existing intersections at Kuikahi Drive and Honoapiilani Highway and Wai'ale Road; Maui Lani Parkway at Kamehameha Avenue and Kuihelani Highway; and East Waiko Road at Honoapiilani Highway, Wai'ale Road, and Kuihelani Highway.

All signalized and unsignalized study intersections currently operate at overall Levels of Service (LOS) C or better with all movements operating below capacity during the peak hours of traffic at LOS D or better with the exception of the Maui Lani Parkway/Kamehameha Avenue intersection. This intersection currently operates overcapacity at LOS E/F during peak traffic hours. A traffic signal system and modified lane configurations are currently being designed for this intersection and are anticipated to be completed prior to implementation of the Wai'ale South project.

The TIAR evaluated future conditions for the Year 2023, the anticipated year Wai'ale South is expected to be built and fully occupied. Background growth was applied to the existing (2014) volumes to determine the future traffic volumes for 2023 without the project. Key assumptions for the 2023 projections include laneage modifications and a traffic signal system at the Maui Lani Parkway/Kamehameha Avenue intersection, various roadway improvements along Waiko Road, the addition of two (2) new project access driveways (Road F and Road B) at Waiko Road, a new project access at Kuihelani Highway south of the Waiko Road intersection (Road B), and appropriate signalization and turning lane improvements at intersections when warranted.

Anticipated traffic from the Wai'ale South project were determined for 2023 and applied to determine future traffic volumes with the project. The LOS without and with the project

are listed in the following table:

Future Level-of-Service (LOS) Year 2023

Signalized Intersections	Without Project		With Project	
	AM	PM	AM	PM
Honoapiilani Highway and Kuikahi Drive	C	C	C	C
Wai'ale Road and Kuikahi Drive	C	C	D	D
Kamehameha Avenue and Maui Lani Parkway	B*	B*	B	B
Kuihelani Highway and Maui Lani Parkway	B	B	B	C
Honoapiilani Highway and Waiko Road	B	B	C	C
Kuihelani Highway and Waiko Road	B	B	B	B
Waiko Road and Road B	A*	B*	A	B
*With recommended mitigation				

In summary, with the recommended mitigation, the proposed Wai'ale South project is not expected to have a significant impact on the traffic operations in the project vicinity. A&B will ensure that improvements are designed in conformance with applicable State and County requirements.

5. **Electrical and Telephone** – There are currently no electrical service to the project site. Maui Electric Company (MECO) currently has a three-phase primary 12.47 kV overhead line that serves the Consolidated Baseyards Subdivision. While this is the most logical point of connection to MECO's electrical system, further analysis of the project's electrical loads will be undertaken as part of the detailed engineering design process for this project to determine whether the existing line can be extended and if a substation is needed. Other possible options for providing electrical service would be to extend MECO's primary overhead lines down Waiko Road from Wai'ale Drive, or to extend their lines from the intersection of Maui Lani Parkway and Kuihelani Highway. New primary and secondary distribution lines within the project area will be placed underground. Service tails will be provided at the property line for service to the individual property owners. A&B will be responsible for installing the underground ducts and infrastructure that MECO will need to accommodate this project, and easements will be required for all of MECO's infrastructure and access roads that fall within private property.

Hawaiian Telcom currently has facilities along Lower East Waiko Road, underground facilities at the entry of the Consolidated Baseyards Subdivisions, and underground cables installed in a duct and manhole/hand-hole system on Kamehameha Avenue in the Maui Lani Development located north of the proposed project area. Hawaiian Telcom has confirmed that there are sufficient plant facilities to serve the project area. The service route will follow MECO's underground route.

Oceanic Time Warner (TW) has facilities on the poles along Lower East Waiko Road

and underground facilities at the entry of Consolidated Baseyards Subdivision. Therefore, the most logical point of connection to TW's cable system would be at the Consolidated Baseyards Subdivision. Installation of cable infrastructures will be at the expense of A&B while the actual cable installation will be done at Oceanic's cost.

A&B will coordinate with the respective service providers to ensure that utility design criteria are appropriately identified for successful system design and integration. Impacts to these electrical and telephone facilities are not anticipated.

6. **Parks** – There are numerous parks within the central Maui region. In addition, Wai'ale South is a master planned community organized around a centrally located park. It also includes other park and open space areas. There may be an increase in the use of park facilities due to the proposed project, however these increases will not substantially impact recreational activities in the area.
7. **Schools** – Central Maui is served by 10 public schools that are operated by the State Department of Education (DOE). See following table:

School	2012-2013	2013-2014	2014-2015	*Capacity
Baldwin High	1,468	1,391	1,320	1,555
Maui High	1,685	1,726	1,737	1,071
Iao Intermediate	763	800	801	767
Maui Waena Intermediate	1,013	1,003	1,030	909
Pu'u Kukui Elementary	----	518	620	----
Wailuku Elementary	910	685	645	1,057
Waihe'e Elementary	759	721	676	683
Pomaika'i Elementary	629	511	506	885
Lihikai Elementary	937	893	839	1,072
Kahului Elementary	961	1,003	930	963
Source: Department of Education, 2014 *DOE Analysis is the Central Maui School Impact District, 2010				

A&B has executed an Educational Contribution Agreement (ECA) with the DOE. The ECA outlines A&B's agreed upon monetary and land contributions for a future middle school within the Wai'ale North area (**Exhibit X**).

Although there will be impacts to schools within Central Maui, these impacts will be mitigated through A&B's monetary and land contributions as outlined in the ECA.

8. **Solid Waste** – The nearest landfill site is the Central Maui Landfill. During construction, solid waste will be collected by a private company. Prior to initiation of construction, a solid waste management plan will be submitted and coordinated with the Department of

Environmental Management.

Upon project completion, solid waste from the single-family portions will be collected by the County of Maui, while the multi-family portions will be collected by a private company. According to the County of Maui's Integrated Solid Waste Management Plan (2009) there is available capacity at the Central Maui Landfill to accommodate population growth until 2026. Therefore the project is not anticipated to adversely impact solid waste facilities in the County of Maui.

9. **Public Services** – Fire protection will be provided by the Kahului Fire Station located approximately 2.8 miles away. The nearest hospital is Maui Memorial Medical Center located approximately 2.3 miles away in Wailuku, which provides acute, general, and emergency care services from its 231 bed facility. Police protection will be provided by the Maui County Police Department whose main station is located in Wailuku. The project is not anticipated to impact these services and facilities.

SOCIO-ECONOMIC IMPACTS

On a short-term basis, the project will support construction and construction related employment. Long term, it will provide much needed housing in Central Maui. The village mixed-use area also provides opportunity for commercial uses to serve area residents.

The project will also trigger affordable housing requirements in accordance with Chapter 2.96 of the Maui County Code. According to the Applicant, the majority of the affordable units will most likely be provided on-site, however some units might be provided off-site, as allowed by Chapter 2.96. According to the Applicant these units will be provided either prior to, or simultaneous with the market units.

ENVIRONMENTAL IMPACTS

There will be short-term noise and air quality impacts during the construction phases of the project. Best management practices will be incorporated into the project in accordance with Federal, State and County standards. The Final Environmental Impact Statement (FEIS) for the Project was accepted by the State Land Use Commission on November 4, 2011. The FEIS was published in the November 23, 2011 Environmental Notice by the Office of Environmental Quality Control (OEQC). No appeals were filed during the 60-day appeal period. In addition, the State Land Use Commission placed 27 conditions on the District Boundary Amendment Approval in order to mitigate and reduce impacts of the project (See Decision and Order conditions: **Exhibit 38**).

OTHER GOVERNMENTAL APPROVALS

The project will require construction permits, subdivision approval, and Department of Health NPDES and Noise permits.

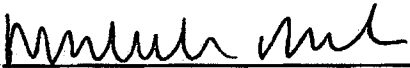
TESTIMONY

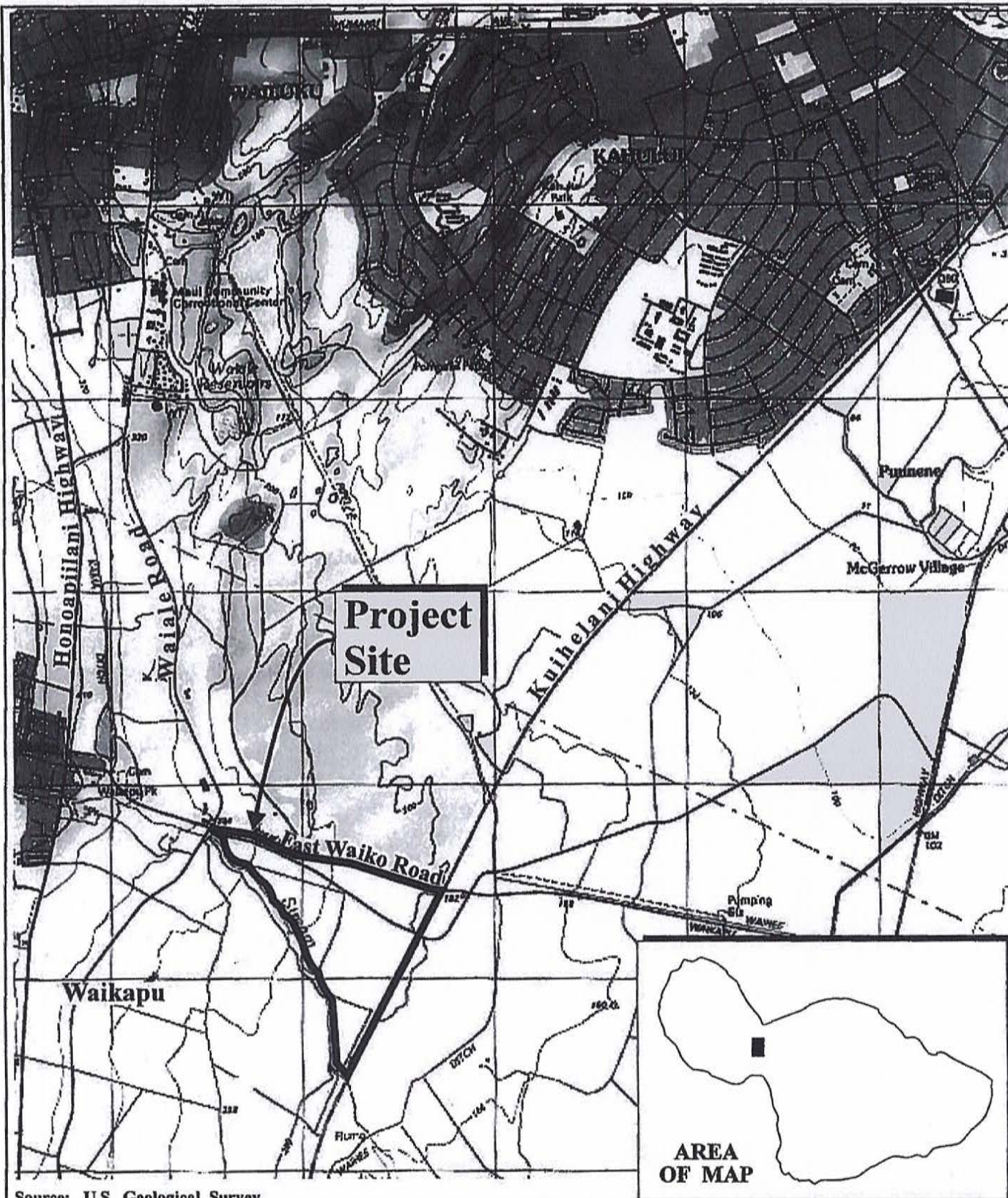
As of November 9, 2015 the Planning Department has not received any letters or phone calls in opposition of the project.

ALTERNATIVES

1. Deferral. The Commission may defer action to another meeting date in order to obtain additional information that will assist in their deliberation on the permit requests.
2. Approve With No Conditions. The Commission may take action to recommend approval of the permit requests without imposing any conditions.
3. Approve With Conditions. The Commission may take action to recommend approval of the permit requests with conditions.
4. Denial. The Commission may take action to recommend denial of the permit requests.

APPROVED:


fr WILLIAM SPENCE



Source: U.S. Geological Survey

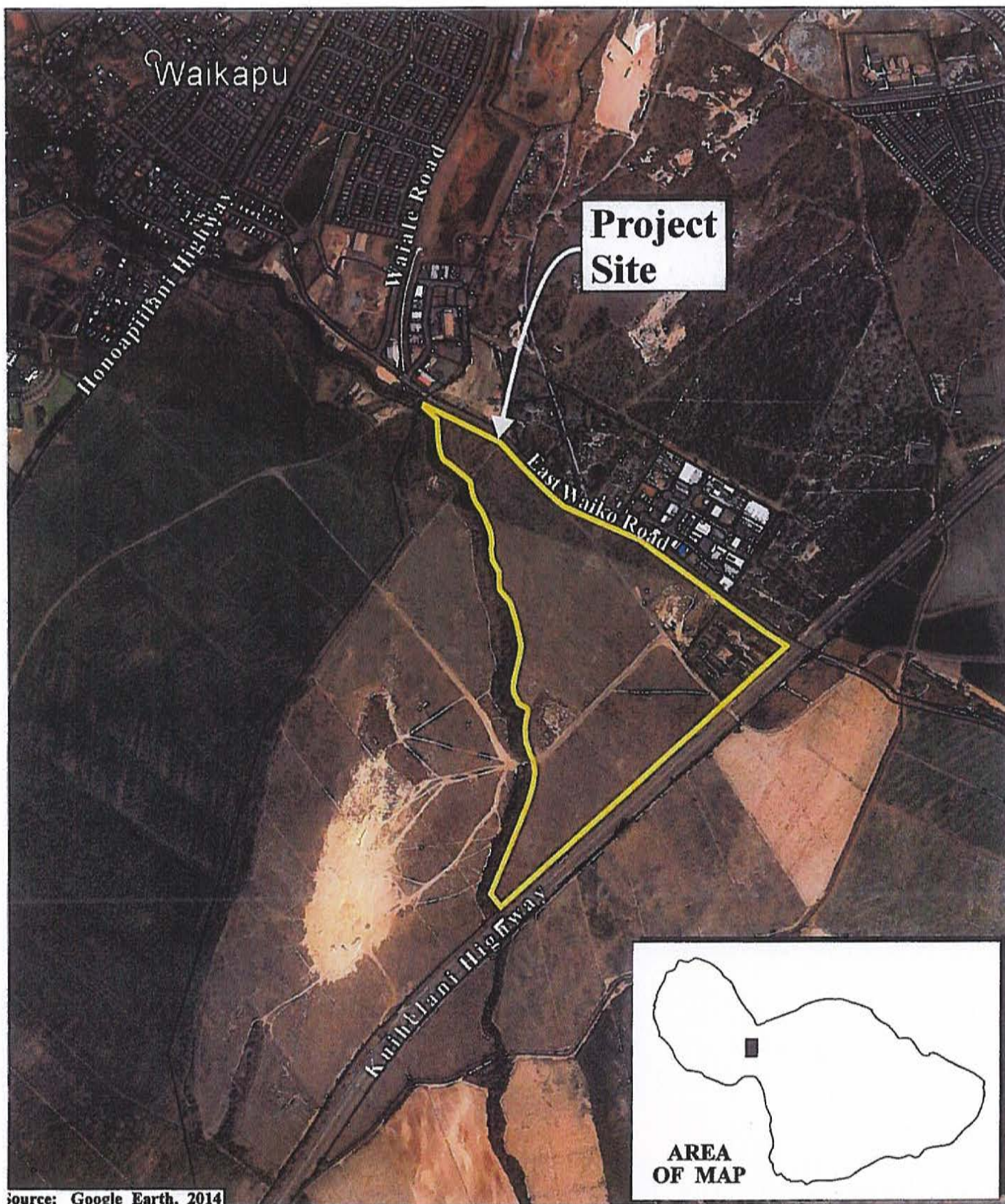
Wai'ale Project District South Regional Location Map



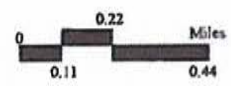
Prepared for: A&B Properties, Inc.

Exhibit "1"

MUNEKIYO & HIRAGA, INC.



Wai'ale Project District South Project Location Map



Prepared for: A&B Properties, Inc.

Exhibit "2"

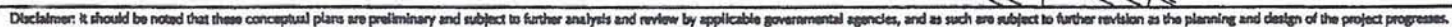

UNEKIYO & HIRAGA, INC.

A&B/Wai'alePDPPhase1/ProjectLocation

Exhibit "3"



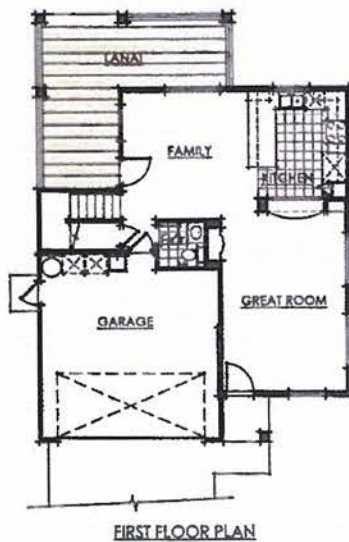
Exhibit "4"



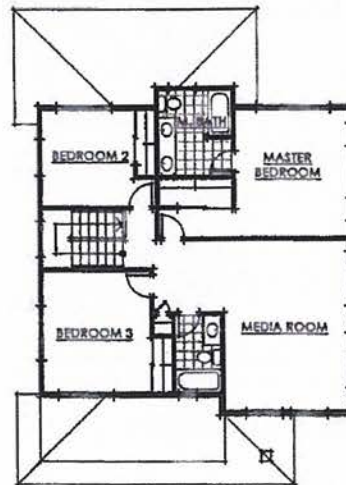
TRADITIONAL SINGLE-FAMILY RESIDENTIAL DESIGN CONCEPTS



Exhibit "5"



FIRST FLOOR PLAN

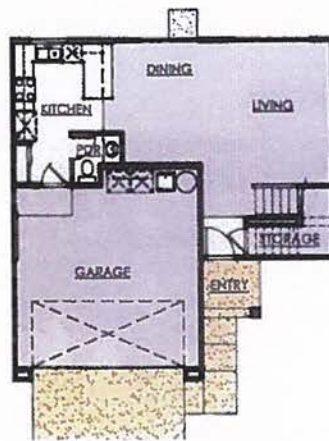


SECOND FLOOR PLAN

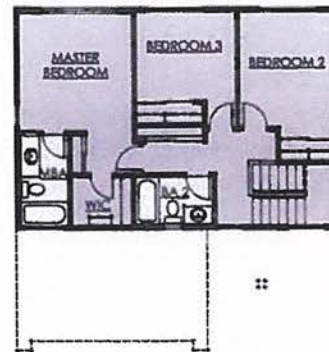
FEATURES:

- 6,000+/- sq. ft. lots
- Individual yards
- Individual private garages
- One or two story plans
- Potential for future homeowner expansion

COMPACT SINGLE-FAMILY RESIDENTIAL CONCEPT



LOWER FLOOR PLAN

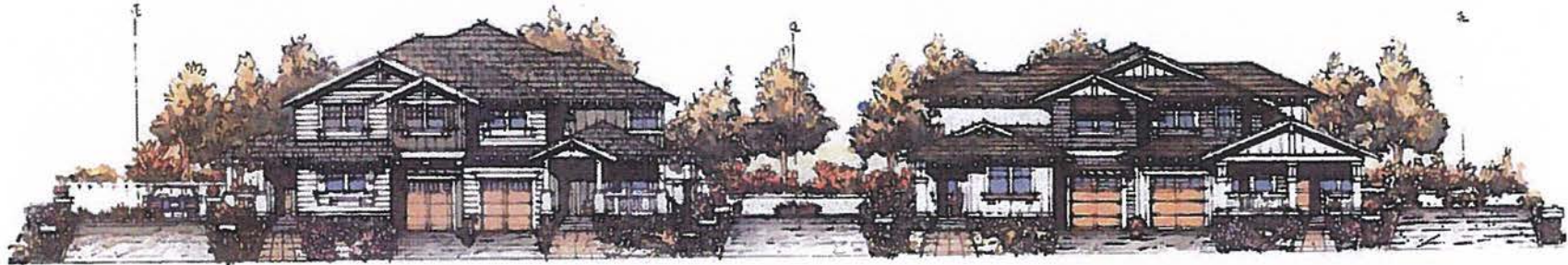


UPPER FLOOR PLAN

FEATURES:

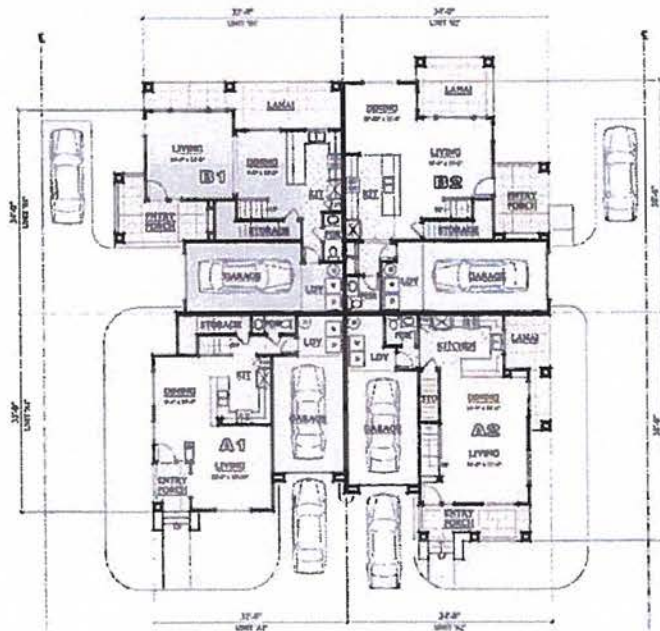
- 4,000+/- sq. ft. lots
- Individual yards
- Individual private garages or carports
- One or two story plans
- Compact footprints for more efficient construction
- Limited potential for future homeowner expansion

4-PLEX MANOR HOMES (TOWNHOMES) CONCEPT



BUILDING 1

BUILDING 2



FEATURES:

- Individual front doors
- Individual front yards
- Minimize garage doors
- Individual private garages
- Corner ventilation for all units
- Two-story units – no other unit above or below
- Visually appealing from all four sides
- Appearance of large home rather than multi-family building

MULTI-FAMILY TOWNHOMES 6 TO 8 PLEX CONCEPT



FRONT ELEVATION



SIDE ELEVATION

FEATURES:

- Individual front doors
- Private back yards
- Individual private garages
- Two-story units – no other unit above or below

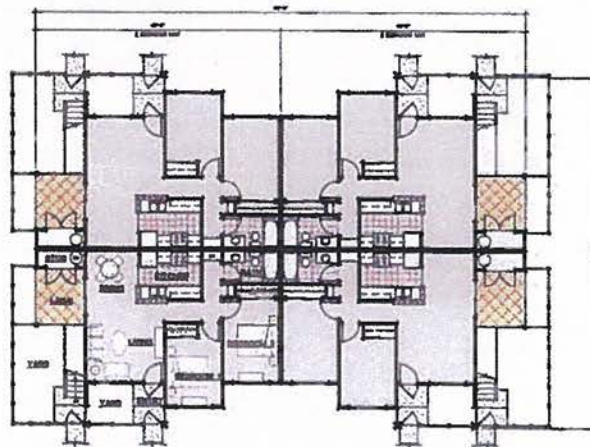


MULTI-FAMILY 8-PLEX STACKED FLATS CONCEPT

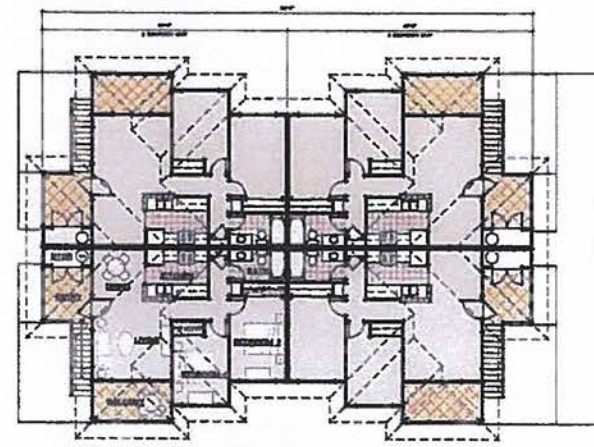


FEATURES:

- Individual front doors
- Individual front yards
- Corner ventilation for all units
- Visually appealing from all four sides
- No interior stairs



FIRST FLOOR PLAN



SECOND FLOOR PLAN

LEGEND

Land Use

- R** Residential District
- VMX** Village Mixed Use (VMX)
- PK** Park / Open Space
- Project District Boundary

Roadway Types

- 72' R.O.W. (Turn Lanes)
- 60' R.O.W. (Median)
- 55' R.O.W. (No Median)
- Interior Residential- 44' R.O.W.

Landscape Features

- Greenway with Pedestrian / Bike Path
- Gateway Feature
- Intersection- Special Landscape Treatment
- Landscape Buffer (as noted)
- Perspective Sketch- Landscape Character
- Conceptual Sections



Exhibit "10"

12/15/2014

Figure L-1

Conceptual Connectivity and Landscape Plan
WAI'ALE PROJECT DISTRICT (SOUTH AREA)

AMB Properties, Inc.

Island of Maui



Disclaimer: It should be noted that these conceptual plans are preliminary and subject to further analysis and review by applicable governmental agencies, and as such are subject to further revision as the planning and design of the project progresses.

Exhibit "11"



Figure L-4
Road B Village Mixed Use Perspective Sketch
NAI'ALE PROJECT DISTRICT (SOUTH AREA)

J.B. Properties, Inc.

12/15/2014

Island of Niihau



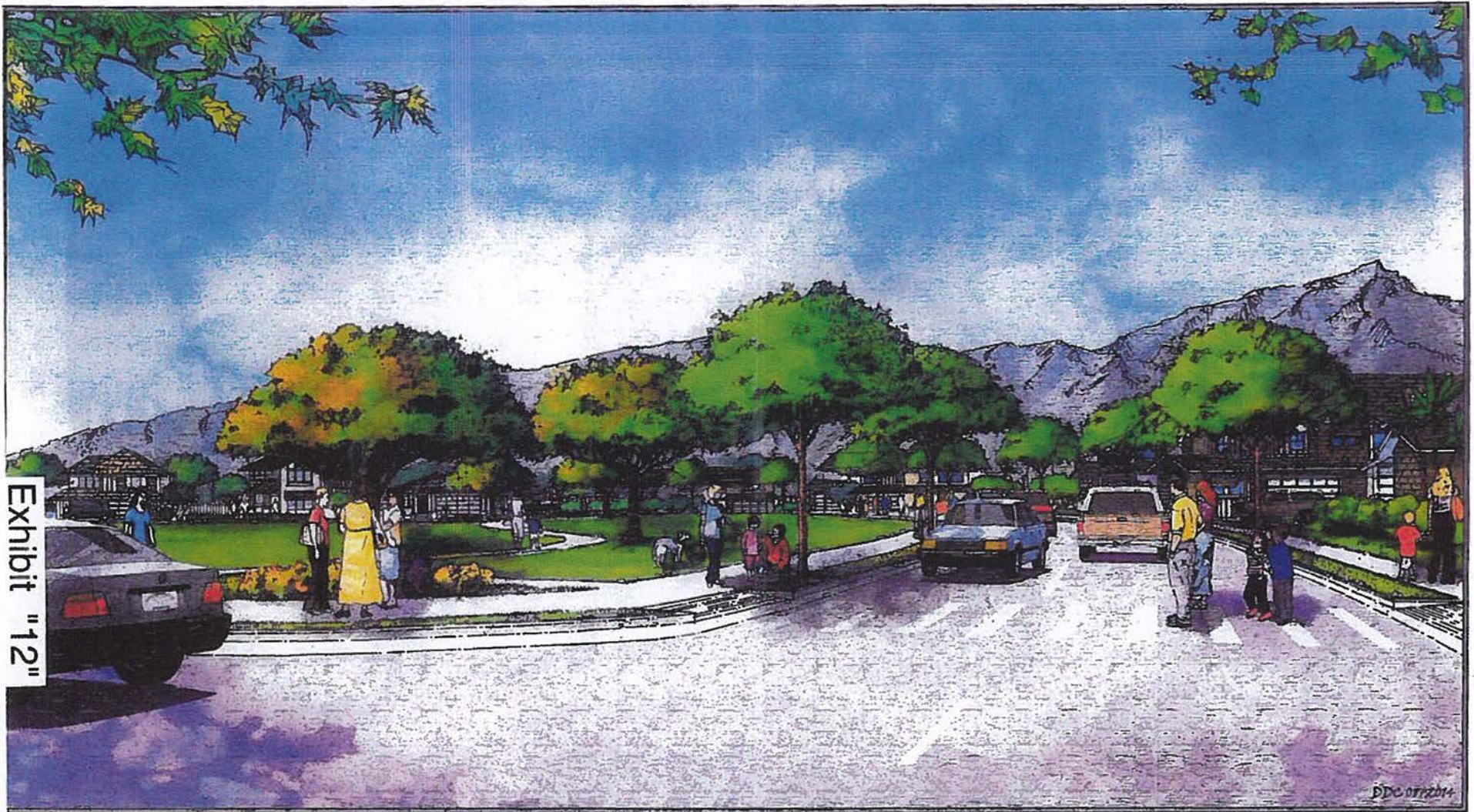


Exhibit "12"

Figure L-5
Neighborhood Park Perspective Sketch
WAI'ALE PROJECT DISTRICT (SOUTH AREA)

J.B. Properties, Inc.

12/15/2014

Island of Oahu





Exhibit "13"

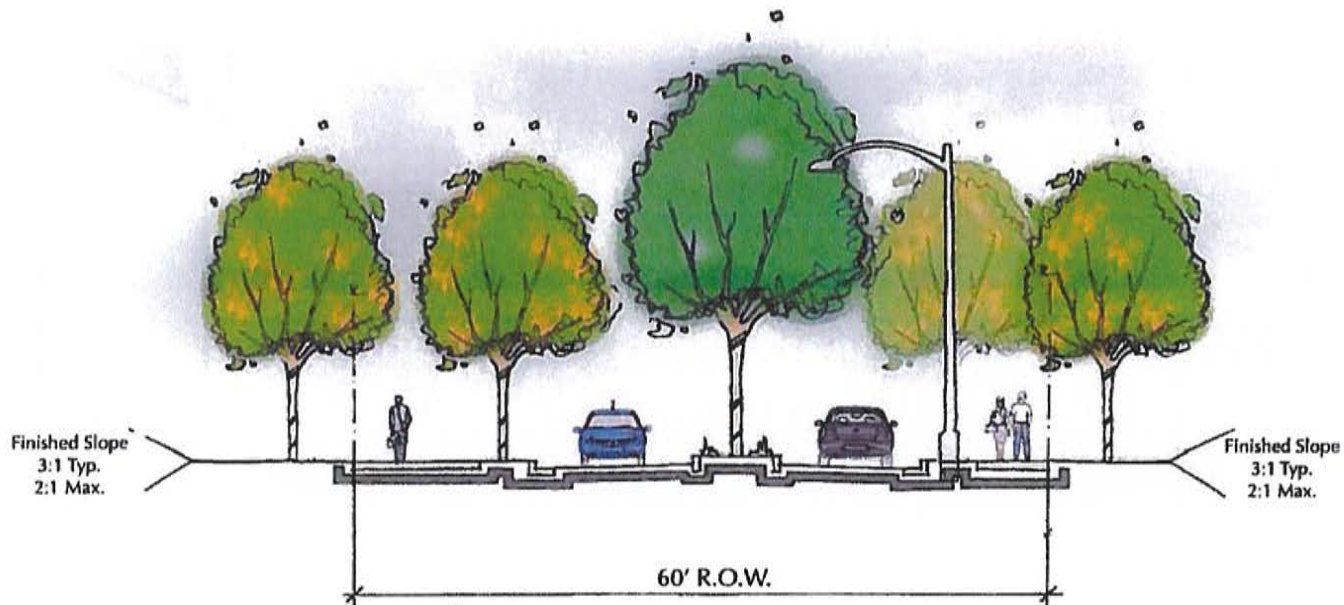
Figure L-6
Waikapu Stream Greenway Park Perspective Sketch
WAI'ALE PROJECT DISTRICT (SOUTH AREA)

A&P Properties, Inc.

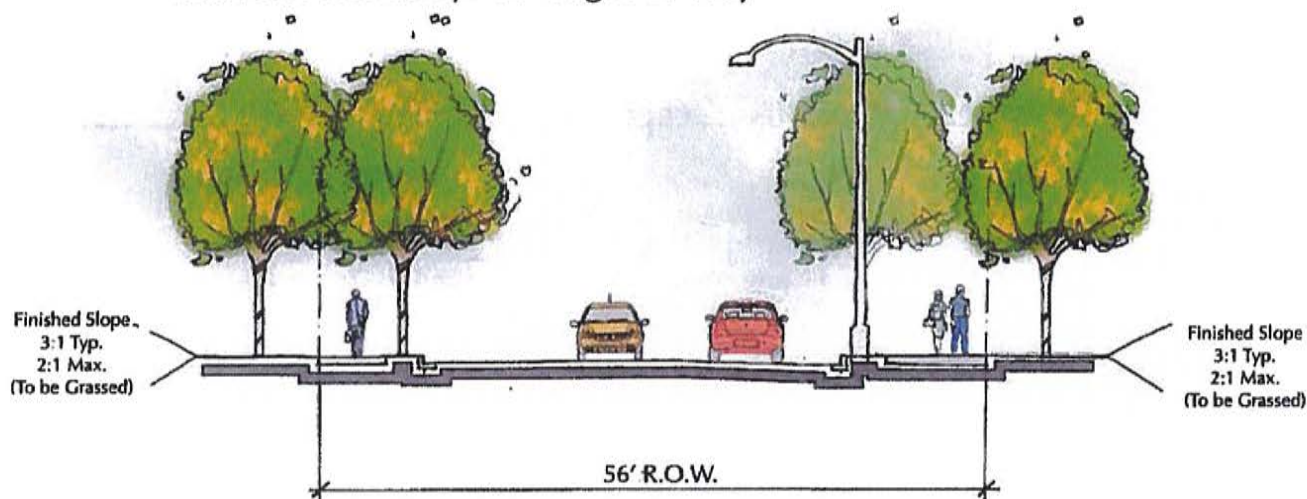
12/15/2014

Island of Maui

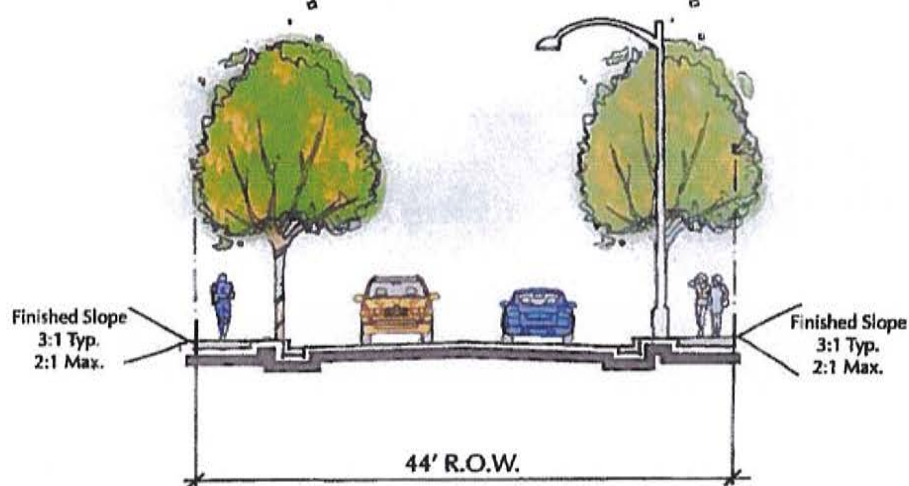




Collector Roadway: 60' Right of Way



Collector Roadway: 56' Right of Way



Interior Residential Roadway: 44' Right of Way

Figure L-2

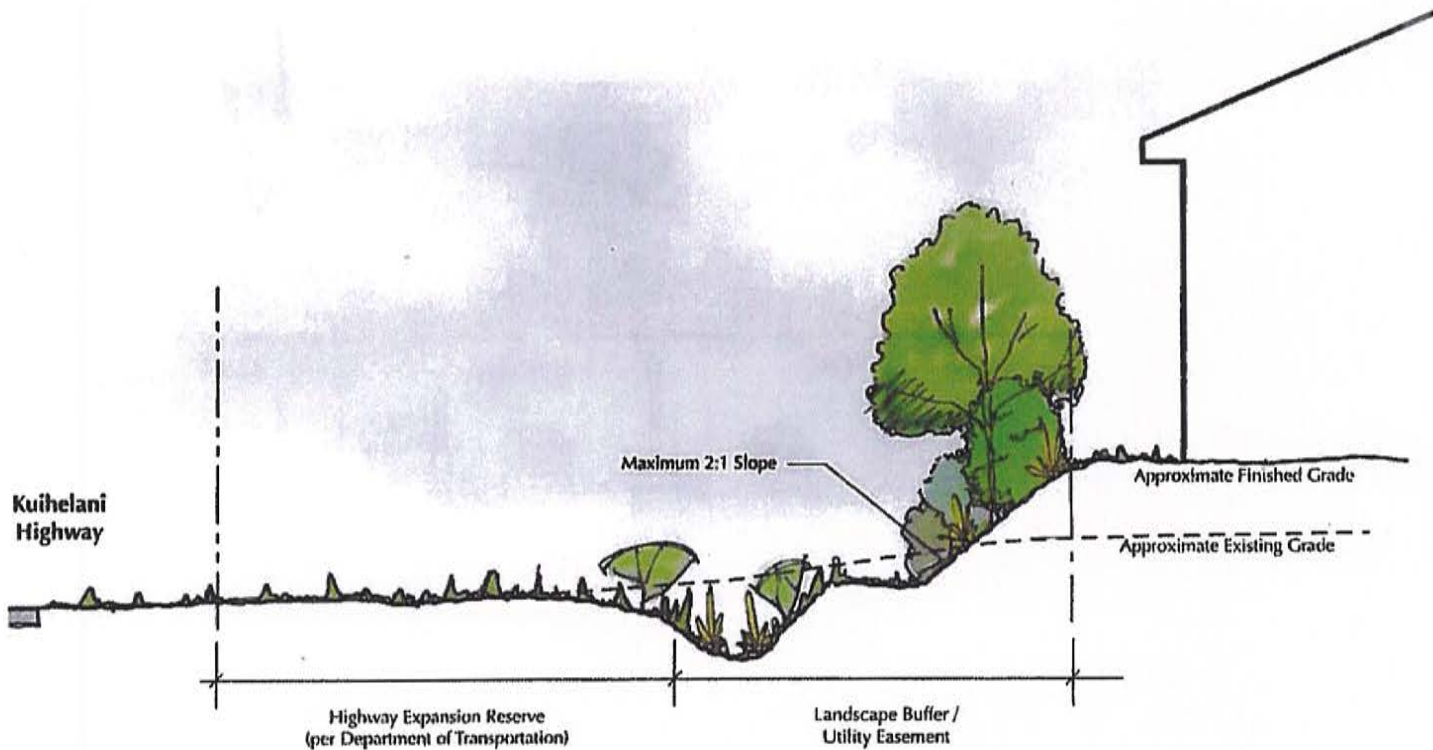
Conceptual Roadway Sections

'AI'ALE PROJECT DISTRICT (SOUTH AREA)

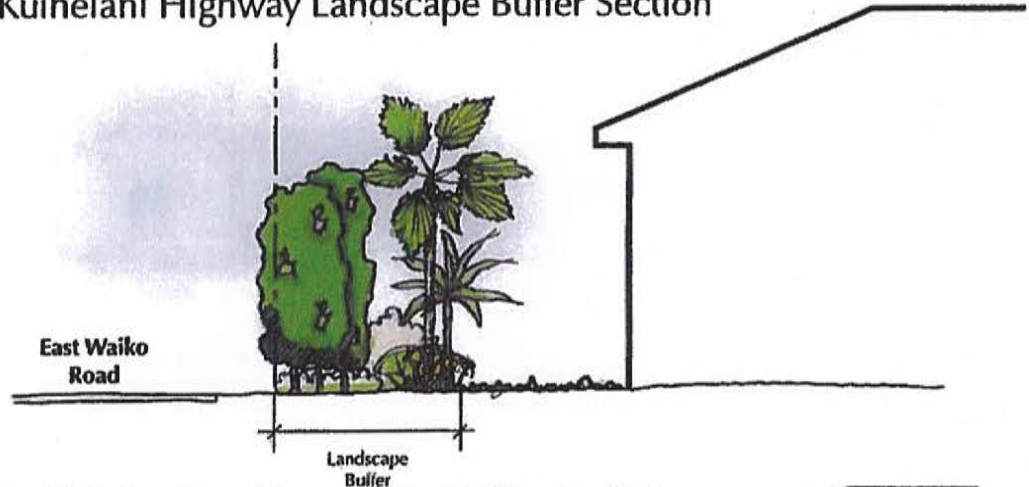
Exhibit "14"

12/15/2014

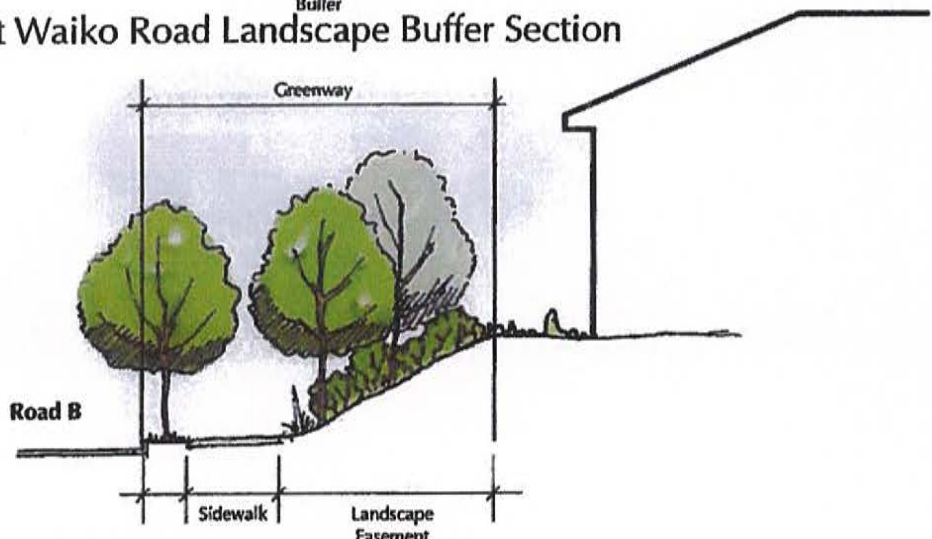




A. Kuihelani Highway Landscape Buffer Section



B. East Waiko Road Landscape Buffer Section



C. Road B Greenway Section



**Project
Site**

Source: Google Earth, 2014

Wai'ale Project District South Photo Reference Map

0 0.11 0.22 0.44 Miles



Prepared for: A&B Properties, Inc.

Exhibit "16"

NEKIYO & HIRAGA, INC.

A&B/Wai'ale/PDPhaseI/ProjectLocation



Photo No. 1 – South View of West Project Area from East Waiko Road



Photo No. 2 – West View of East Project Area from East Waiko Road

Exhibit "17"



Photo No. 3 – South View of East Project Area from Existing Access Road



Photo No. 4 – West View of East Project Area from Kuihelani Highway



Photo No. 5 – West View of South Project Area from Kuihelani Highway

Exhibit "19"

PROJECT DISTRICT 5 (Waiale South) 122.6 acres

The purpose of this project district is to provide for a flexible and creative approach to development which considers physical, environmental, social, and economic factors in a comprehensive manner. The intent of the Waiale Project District is to establish a master planned residential community with a mixture of residential unit types, including a park and open space system with bikeways and pedestrian paths, as well as supportive retail and commercial facilities. As described in the Maui Island Plan, Waiale will provide varied housing options to address the housing needs of Maui residents. Waiale will include single-family and multi-family housing units with low to moderate average lot size, with the capacity to provide affordable housing. Waiale is proximate to Wailuku employment opportunities, infrastructure and has adequate highway access. It is intended that Waiale's infrastructure development be coordinated with neighboring developments.

Residential district.....	98.4 acres
Village mixed use district	10 acres
Park/Open space district.....	14.2 acres
Public/Quasi-public district	0 acres
Industrial district	0 acres
Residential units based on an average density of 9.7 units per acre.....	950 units

11/4/15

Chapter _____ - WAIALE PROJECT DISTRICT (SOUTH AREA)

Sections:

- _____ - Purpose and intent.
- _____ - Residential district.
- _____ - Village mixed use district.
- _____ - Industrial district.
- _____ - Public/quasi-public district.
- _____ - Park/open space district.
- _____ - Land use districts, approximate acreages and maximum residential density.

_____ - Purpose and intent.

The purpose of this project district is to provide for a flexible and creative approach to development which considers physical, environmental, social, and economic factors in a comprehensive manner. The intent of the Waiale Project District is to establish a residential community with a mixture of residential unit types, including a park and open space system with bike and pedestrian paths, supportive retail and commercial facilities, as well as public and quasi-public uses.

Referenced terms have the meanings set forth in the MCC (19.04.040) or if different, then as specifically defined herein.

_____ - Residential district.

The residential district envisions a range of multi-family and single family housing types to meet the varied housing needs of Maui residents. The intent of the residential district is to provide the flexibility to allow for all forms of residential use and structures to meet changing market demand. The district also includes other uses that are supportive and compatible with residential use.

Permitted Uses and Structures. Within the residential district, the following uses shall be permitted:

A. Principal uses and structures.

Uses	Notes and Exceptions
1. Single-family dwelling units	

2. Two-family dwelling units	
3. Multi-family dwelling units	
4. Parks and playgrounds, noncommercial	Certain commercial amusement and refreshment sale activities may be permitted when under supervision of the government agency in charge of the park or playground.
5. Resident recreational uses and structures for use by owners and their tenants	
6. Parking lots	
7. Communication equipment, antenna or towers	
8. Minor utility facilities	
9. Major utility facilities	Limited to water and wastewater treatment facilities.
10. Schools	

B. Accessory Uses and Structures.

Uses	Notes and Exceptions
1. Greenhouses, flower and truck gardens, and nurseries	Provided that there shall be no retailing or transacting of business on the premises.
2. Accessory buildings located on the same lot	
3. Day care nurseries, kindergartens, nursery schools, child care homes, day care homes, day care centers, nurseries, preschool kindergartens, babysitting services, and other like facilities located in private homes used for child care services	These facilities shall serve six or fewer children at any one time on lot sizes of less than seven thousand five hundred square feet, serving eight or fewer children at any one time on lot sizes of seven thousand five hundred or more square feet but less than ten thousand square feet, or serving twelve or fewer children at any one time on lot sizes of ten thousand or more square feet.
4. Home occupations	
5. Adult care homes in which residents of the home provide care for not more than six adults	

6. Small scale energy systems that are incidental and subordinate to a principal use or structure	
7. Other uses and structures that are determined by the planning director as meeting the intent of this section	

C. Special Uses. The following uses shall be permitted subject to the approval of the Maui Planning Commission:

Uses	Notes and Exceptions
1. Churches, together with accessory buildings	
2. Recycling collection and redemption centers	
3. Farmer's market	
4. Swap meet or open air market	
5. Day care nurseries, kindergartens, nursery schools, child care homes, day care homes, day care centers, nurseries, preschool kindergartens, babysitting services, and other like facilities located in private homes used for child care services serving more than the number of children defined in Section B4.	
6. Hospitals	
7. Nursing or convalescent homes and domiciliary facilities operated and maintained to provide nursing or supporting care	

8. Certain domestic type businesses in the home	Provided there will be no detrimental or nuisance effect upon the neighbors. Such businesses shall be normal functions of the home, such as baking, sewing and piano playing.
9. Adult care homes for more than six adults	
10. Buildings or premises used by the federal, state, or county governments for public purposes	
11. Uses and structures that are similar to, and compatible with, the principal uses or structures and which conform to the intent of this section may be approved by the Maui Planning Commission	

D. Development standards for the residential district shall be:

	Residential District	Notes and Exceptions
Minimum lot area (square feet)	1,800 square feet	Lots for utility or landscape purposes shall only be used for utility and landscape purposes and shall not have a minimum lot area.
Minimum lot width (in feet)	0 feet	
Maximum building height (in feet)	60 feet	Measured by the finished grade, as specified in the approved Project District Phase II or III site plans. Building appurtenances, such as vent pipes, fans, elevator and stairway shafts,

		chimneys, cell or antennae, and equipment used for small scale energy systems on roofs, may extend an additional 10 feet in height above the building roof.
--	--	---

Minimum yard setbacks (in feet)		Notes and Exceptions
Front	0 feet	
Side	3 feet	The side and rear yard setback may be 0 feet for zero lot line lots and lots used only for utility and landscape purposes as identified in the Project District Phase II or III site plans.
Rear	3 feet	

_____ - Village mixed use district.

The village mixed use district envisions an area comprised of a mix of residential, commercial, recreational and community facilities. The intent of the village mixed use district is to create community identity and character with landmark buildings and a grouping of services within a central core that includes a mix of uses.

Permitted Uses. Within the village mixed use district, the following uses shall be permitted:

A. Principal uses and structures.

Uses	Notes and Exceptions
1. Any use or structure permitted in the residential district	
2. Animal boarding facility	
3. Animal hospital	
4. Art galleries	

5. Auditoriums and theatres	
6. Automobile service stations	
7. Bowling alleys	
8. Churches, together with accessory buildings	
9. Day care facilities	
10. Eating and drinking establishments	
11. Farmer's market	
12. Food and beverage, retail	
13. Garages	
14. General merchandising	
15. General office	
16. Laundromats	
17. Light manufacturing and processing	
18. Medical center, major	
19. Medical center, minor	
20. Museums	
21. Parking area, public	
22. Personal and business services	
23. Private clubs	
24. Public facility or public use	
25. Quasi-public use or quasi-public facility	
26. Recreation, indoor	

27. Redemption center	
28. Self-storage	Provided it is within an enclosed building.
29. Swap meet or open air market	

B. Accessory Uses and Structures.

1. Accessory structures permitted in the residential district; and
2. Other uses and structures as determined by the planning director as meeting the intent of this section.

C. Special Uses. The following uses shall be permitted subject to the approval of the Maui Planning Commission:

1. Uses that are similar to, and compatible with, the principal uses and structures and which conform to the intent of the section may be approved by the Maui Planning Commission.

D. Development standards for the village mixed use district shall be:

	Village Mixed Use District	Notes and Exceptions
Minimum lot area (square feet)	1,800 square feet	Lots for utility or landscape purposes shall only be used for utility and landscape purposes and shall not have a minimum lot area.
Minimum lot width (in feet)	0 feet	
Maximum building height (in feet)	60 feet	Measured by the finished grade, as specified in the approved Project District Phase II or III site plans: 45 feet for all non-dwelling uses with an additional allowable

		15 feet for a total of 60 feet if the area above 45 feet is exclusively used for dwelling purposes. Building appurtenances, such as vent pipes, fans, elevator and stairway shafts, chimneys, cell or antennae, and equipment used for small scale energy systems on roofs, may extend an additional 10 feet in height above the building roof.
--	--	---

Minimum yard setbacks (in feet)		Notes and Exceptions
Front	0 feet	
Side	3 feet	The side and rear yard setback may be 0 feet for zero lot line lots and lots used only for utility and landscape purposes as identified in the Project District Phase II or III site plans.
Rear	3 feet	

_____ - Industrial district.

The industrial district envisions an area of commercial and light industrial uses, including warehousing and distribution types of activities and the assembly or treatment of materials, with the exception of heavy manufacturing and processing. The district also includes other uses that are supportive and compatible with industrial use.

Permitted Uses. Within the industrial district, the following uses shall be permitted:

A. Principal uses and structures.

Uses	Notes and Exceptions
1. Any use or structure permitted in the VMX District	
2. Assembly and manufacture of	

electrical components and the like	
3. Automobile services	Including major repairs, provided all auto repairing operations are conducted in enclosed buildings; and provided further, that tire rebuilding or battery manufacturing shall not be permitted within this district.
4. Automobile upholstery shops	
5. Awning or canvas shops	
6. Cold storage plants	
7. Commercial laundries	
8. Equipment rental and sales yards	
9. Farm implement sales and service	
10. Feed stores	
11. General food, fruit and vegetable processing and manufacturing plants	
12. Ice cream and milk producing, manufacturing and storage	
13. Laboratories-experimental, photo or motion picture, film or testing	
14. Light and heavy equipment and product display rooms, storage, and storage	
15. Lumber yards	
16. Machine shop or other metal working shop	
17. Manufacture of pottery and figurines or other similar ceramic products	
18. Milk bottling or central distribution	

stations	
19. Mortuaries	
20. New and used car lots;	Provided all repair and maintenance is conducted within a wholly enclosed building.
21. Nurseries (flower or plants)	Provided that all incidental equipment and supplies, including fertilizers and empty cans, are kept within enclosed buildings.
22. Plumbing shops	
23. Printing, lithography or publishing shops	
24. Radio transmitting and television stations	Provided that towers are of the self-sustaining type without guys.
25. Recycling collection and redemption centers	
26. Replating shop	
27. Retail lumber yard including mill and sash work	Except that mill and sash work shall be conducted within a completely enclosed building.
28. Small boat building	
29. Soda water and soft drink bottling and distribution plants	
30. The manufacture, compounding, or treatment of articles or merchandise from the following previously prepared materials; aluminum, bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, plastics, precious, or semi-precious metals or stones, shell, tobacco and wood	
31. The manufacture, compounding, processing, packing or treatment of such products as candy, cosmetics,	

drugs, perfumes, pharmaceutical, toiletries, and food products except the rendering or refining of fats and oils	
32. The manufacture, dyeing, and printing of cloth fabrics and wearing apparel	
33. The manufacture of musical instruments, toys, novelties, and rubber and metal stamps	
34. Trucking and truck storage	
35. Warehouse and storage	
36. Wearing apparel manufacturing	
37. Any other retail businesses or commercial enterprises which are similar in character of rendering sales of commodities or performance of services to the community and not detrimental to the welfare of the surrounding area	Provided, however, that such uses shall be approved by the planning director as conforming to the intent of this section.

B. Accessory Uses and Structures.

1. Other uses and structures as determined by the planning director as meeting the intent of this section.

C. Special Uses. The following uses shall be permitted subject to the approval of the Maui Planning Commission:

1. Uses and structures that are similar to, and compatible with, the principal uses and structures and which conform to the intent of the section may be approved by the Maui Planning Commission.

D. Development standards for the industrial district shall be:

	Industrial District	Notes and Exceptions
Minimum lot area (square feet)	7,500 square feet	Lots for utility or landscape purposes

		shall only be used for utility and landscape purposes and shall not have a minimum lot area.
Minimum lot width (in feet)	65 feet	
Maximum building height (in feet)	60 feet	<p>Measured by the finished grade, as specified in the approved Project District Phase II or III site plans.</p> <p>Building appurtenances, such as vent pipes, fans, elevator and stairway shafts, chimneys, cell or antennae, and equipment used for small scale energy systems on roofs, may extend an additional 10 feet in height above the building roof.</p>

Minimum yard setbacks (in feet)		Notes and Exceptions
Front, side and rear	0 feet	Where the front, side or rear yard of a lot abuts a lot in any residential or village mixed use district, the abutting front, side or rear yard shall be not less than 10 feet, except that the minimum front, side and rear setbacks shall be 0 feet for lots used only for utility or landscape purposes.
Side	0 feet	
Rear	0 feet	

_____ -Public/quasi-public district.

The public/quasi-public district envisions uses supportive and compatible with the overall residential character of the Waiale residential community. The district also includes other uses that are supportive and compatible with public/quasi-public use.

Permitted Uses. Within the public/quasi-public district, the following uses shall be permitted:

A. Principal uses and structures:

Uses	Notes and Exceptions
1. Churches	
2. Community and recreation centers	
3. Fire and police stations	
4. Government and quasi-public offices	
5. Libraries	
6. Major utility facilities	
7. Minor utility facilities	
8. Parking lots and structures	
9. Schools	

B. Accessory Uses and Structures.

1. Other uses and structures as determined by the planning director as meeting the intent of this section.

C. Special Uses. The following uses shall be permitted subject to the approval of the Maui Planning Commission:

1. Uses and structures that are similar to, and compatible with, the principal uses and structures and which conform to the intent of the section may be approved by the Maui Planning Commission.

D. Development standards for the public/quasi-public district shall be:

	Public/Quasi-Public District	Notes and Exceptions
Minimum lot area (square feet)	0 square feet	
Minimum lot width (in feet)	0 feet	
Maximum building height (in feet)	90 feet	Measured by the finished grade, as specified in the approved Project District Phase II or III site plans. Building appurtenances, such as vent pipes, fans, elevator and stairway shafts, chimneys, cell or antennae, and equipment used for small scale energy systems on roofs, may extend an additional 10 feet in height above the building roof.

Minimum yard setbacks (in feet)		Notes and Exceptions
Front	20 feet	Where the side or rear yard of a lot abuts a lot in any residential or village mixed use district, the abutting side or rear yard shall have the same yard setback as required in the residential or village mixed use district, except that the minimum front, side and rear setbacks shall be 0 feet for lots used only for utility or landscape purposes.
Side	0 feet	
Rear	0 feet	

_____ - Park/open space district.

The park/open-space district envisions park and open space uses which serve the active and passive recreational needs of the Waiale residential community. The district also includes other uses that are supportive and compatible with park/open space use.

Permitted Uses. Within the park and open space district, the following uses shall be permitted:

A. Principal uses:

Uses	Notes and Exceptions
1. Athletic Courts and fields	
2. Community and recreation centers	
3. Drainage and erosion control systems	Shall be combined with open land recreation uses.
4. Historic and cultural sites	
5. Minor utility facilities	
6. Open land recreation	
7. Parks, playgrounds, and landscaped common or open space areas	
8. Road widening reserves and	
9. buffers	
10. Swimming pools	
11. Trails and bike-pedestrian ways	

B. Accessory Uses and Structures.

Uses	Notes and Exceptions
1. Comfort and shelter stations	
2. Greenhouses and nurseries, limited to the propagation of plants	
3. Maintenance and storage facilities	
4. Park furniture and equipment	
5. Other uses and structures as determined by the planning director as meeting the intent of this section	

C. Special Uses. The following uses shall be permitted subject to the approval of the Maui Planning Commission:

1. Cemeteries; and
2. Uses and structures that are similar to, and compatible with, the principal uses and structures and which conform to the intent of the section may be approved by the Maui Planning Commission.

D. Development standards for the park and open space district shall be:

	Park and Open Space District	Notes and Exceptions
Minimum lot area (square feet)	0 square feet	
Minimum lot width (in feet)	0 feet	
Maximum building height (in feet)	35 feet	Measured by the finished grade, as specified in the approved Project District Phase II or III site plans. Building appurtenances, such as vent pipes, fans, elevator and stairway shafts, chimneys, cell or antennae, and equipment used for small scale energy systems on roofs, may extend an additional 10 feet in height above the building roof.

Minimum yard setbacks (in feet)		Notes and Exceptions
Front, side and rear	20 feet	Front, side and rear yard setbacks for lots used only for utility or landscape purposes may be 0 feet.
Side	20 feet	
Rear	20 feet	

_____ - Land use districts, approximate acreages and maximum residential density (South Area).

- A. The following are established as the approximate acreages for the various land use districts within the Waiale Project District (South Area):

Residential district	98.4 acres
Village mixed use district	10 acres
Industrial district	0 acres
Public/Quasi-public district	0 acres
Park/Open space district	14.2 acres
Total	122.6 acres

- B. The approximate acreages for the land use districts shall be applicable to the South Area of Waiale Project District and shall be modified upon the amendment of this ordinance for the North Area of Waiale Project District.
- C. The South Area of Waiale Project District shall be limited to 950 residential units.

15/1917

ALAN M. ARAKAWA
Mayor

DAVID C. GOODE
Director

ROWENA M. DAGDAG-ANDAYA
Deputy Director

Telephone: (808) 270-7845
Fax: (808) 270-7955



**COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS**

200 SOUTH HIGH STREET, ROOM NO. 434
WAILUKU, MAUI, HAWAII 96793

RECEIVED
2015 APR 20 4:11 PM
COUNTY OF MAUI
DEPT. OF PLANNING
ADMINISTRATION

GLEN A. UENO, P.E., P.L.S.
Development Services Administration

CARY YAMASHITA, P.E.
Engineering Division

BRIAN HASHIRO, P.E.
Highways Division

April 16, 2015

MEMO TO: WILL SPENCE, PLANNING DIRECTOR

FROM: *David C. Goode* DAVID C. GOODE, DIRECTOR OF PUBLIC WORKS

SUBJECT: APPLICATION FOR COMMUNITY PLAN AMENDMENT, CHANGE IN
ZONING, AND PROJECT DISTRICT DEVELOPMENT (PH 1)
APPROVAL
FOR WAI'ALE PROJECT DISTRICT SOUTH
TMK: (2) 3-8-005:037 AND 040 (POR)
CPA 2015/0001, CIZ 2015/0001, PH1 2015/0001

We reviewed the subject application and have the following comments:

Comments from the Engineering Division:

1. A road widening lot may be required for the adjoining half of Waiko Road to provide for future 60 foot wide right-of-way and improved to County standards, to include, but not be limited to, pavement widening, construction of curb, gutter and sidewalk, street lights and relocation of utilities underground. Development Services Administration shall determine whether the aforementioned are enforceable by Maui County Code. If applicable, said lot shall be dedicated to the County upon completion of the improvements.
2. The applicant shall be responsible for all required improvements, as required by Hawaii Revised Statutes, Maui County Code and rules and regulations.
3. As applicable, construction plans shall be designed in conformance with Hawaii Standard Specifications for Road and Bridge Construction dated 2005 and Standard Details for Public Works Construction, 1984, as amended.
4. As applicable, worksite traffic control plans/devices shall conform to "Manual on Uniform Traffic Control Devices for Streets and Highways", 2003.
5. Drainage Report shall include stormwater management plan. Traffic master plan for development shall address regional impacts as well as impacts to Waiko Road.

Exhibit "21"

If you have any questions regarding this memorandum, please call Rowena M. Dagdag-Andaya at 270-7845.

da

xc: Highways Division
Engineering Division

S:\DSA\Engr\CZM\Draft Comments\38005037_waiale_proj_dist_south_cpa_ciz_ph1.wpd



MUNEKIYO HIRAGA

Planning, Project Management, Sustainable Solutions

Michael T. Munekiyo
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Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

Mitsuru "Mich" Hirano
SENIOR ADVISOR

August 5, 2015

David Goode, Director
Department of Public Works
County of Maui
200 South High Street
Wailuku, Hawaii 96793

SUBJECT: Wai'ale Project District South (CPA 2015/0001, CIZ 2015/0001,
PH1 2015/0001)

Dear Mr. Goode:

Thank you for your letter dated April 16, 2015 in response to the Planning Department's request for comments on the Waiale Project District South Community Plan Amendment, Change in Zoning, and Project District Phase I applications. On behalf of A&B Properties, Inc. (Applicant), we offer the following responses to your comments in the order of your comments:

1. The Applicant is aware that an Environmental Impact Statement (EIS) was submitted for the proposed East Waiko Road Improvements in July 2014. This EIS identifies East Waiko Road with an existing 60-foot wide right of way. The improvements include a maximum pavement width of 36 feet, upgrading the existing pavement section and restriping the roadway to provide two (2) 12-foot travel lanes, 6-foot shoulders, and 6-foot AC swales for drainage on both sides of the road for a distance of approximately 4,600 linear feet between Waiale Road and Kuihelani Highway. The Applicant will work with the County of Maui, Department of Public Works (DPW) to coordinate the proposed laneage improvements for the Waiale Project District South development with the planned East Waiko Road Improvements Project.
2. The Applicant will work with DPW and the State of Hawaii Department of Transportation to determine appropriate measures for funding, scheduling, and implementing any roadway improvements based on traffic impacts generated by the Project in relation to existing traffic conditions and future traffic impacts from

Main: 305 High Street, Suite 104 Wailuku, Hawaii 96793 Tel: 808.244.2015 Fax: 808.244.8729

Osaka: 735 Bishop Street, Suite 321 Honolulu, Hawaii 96813 Tel: 808.983.1233

www.munekiyo-hiraga.com

other potential projects in accordance with Hawaii Revised Statutes, Maui County Code, and applicable rules and regulations.

3. The Applicant will ensure that construction plans are designed in conformance with applicable State and County requirements.
4. The Applicant will ensure that worksite traffic control plans/devices conform to "Manual on Uniform Traffic Control Devices for Streets and Highways," 2003, as applicable.
5. A stormwater management plan will be included in the drainage report for the Project. Additionally, a separate TIAR will be prepared for the Waiale North Project prior to change in zoning for the Waiale North Project area. The phasing of the Waiale South and North Projects and the preparation of separate TIARs for the respective phases of the Waiale Project will allow for the regional assessment of traffic impacts, including impacts to Waiko Road.

We appreciate your timely review and comments on the proposed project. Should you have any questions, please contact me at 244-2015.

Very truly yours,



Marisa Fujimoto
Senior Associate

MF:tn

Cc: Daniel Yasui, A&B Properties, Inc.
Danny Dias, Department of Planning
Adrienne Wong, Austin Tsutsumi & Associates, Inc.

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ALAN M. ARAKAWA
Mayor



DAVID TAYLOR, P.E.
Director

PAUL J. MEYER
Deputy Director

DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793-2155
www.mauiwater.org

COUNTY OF MAUI
DEPT OF PLANNING
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'15 APR 10 P12:56

April 7, 2015

Mr. Danny D. Dias, Staff Planner
County of Maui, Department of Planning
2200 Main Street, Ste. 315
Wailuku, HI 96793

Dear Mr. Dias:

RE: Project: Wai'ale Project District South
Applicant: A&B Properties, Inc.
Address: Southwest corner of East Waiko Road and Kuihelani Highway
Intersection, Kahului, Maui, Hawai'i
Description: A master planned residential community with single & multi-family
homes, village mixed use area, parks and open space, landscaped
entries and collector roads, and related improvements
TMK: (2) 3-8-005:037 and 040 (por.)
Permit Nos.: CPA 2015/0001, CIZ 2015/0001, and PH1 2015/0001

Thank you for the opportunity to provide the following comments for the referenced project.

Source Availability and Consumption

The applicant is working on a new water source in the Waikapu aquifer and infrastructure which will include a well, water storage tank, transmission waterlines, and other related appurtenances for their project. They are hoping to dedicate the well and appurtenances to the County of Maui, Department of Water Supply (DWS). However, the impact of the new wells on DWS wells will have to be determined during pump testing of the applicant's new wells.

The applicant's estimate of the average daily water demand for the project determined by using County of Maui, Department of Water Supply *Water System Standards, dated 2002* is 590,300 gallons per day (gpd). The maximum daily demand is estimated at 885,000 gpd.

"B"

Exhibit "22"

System Infrastructure

There is currently no infrastructure servicing the project site. Water system improvement requirements will be determined during the subdivision process.

Pollution Prevention

Although the project site is not in a wellhead protection area (WHPA), DWS recommends that the applicant implement appropriate construction mitigation measures to ensure the protection of the Kahului aquifer.

Conservation

The applicant's PRELIMINARY ENGINEERING AND DRAINAGE REPORT FOR WAI'ALE PROJECT DISTRICT SOUTH, dated January 28, 2015, mentioned that "Water conservation measures, such as low-flow showerheads, will also be implemented for the project to decrease the water demand". The Department of Water Supply recommends that the applicant include the following conservation measures for implementation in the project:

Indoor Conservation Measures:

- Use EPA WaterSense labeled plumbing fixtures.
- Install flow reducers and faucet aerators in all plumbing fixtures wherever possible.
- Install dual flush toilets with high efficiency models that use 1.28 gallons per flush or less.
- Install showerheads with a flow rate of 1.5 gallons per minute (gpm) at 60 pounds per square inch (psi).
- Install bathroom sink faucets with fixtures that do not exceed 1 gpm at 60 psi. Laundry facilities and/or individual unit machines must use Energy Star labeled washers.

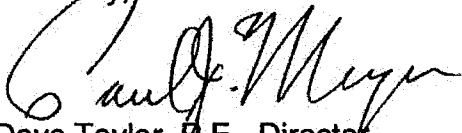
Outdoor Conservation Measures:

- Use Smart Approved WaterMark irrigation products. Examples include ET irrigation controllers, drip irrigation, and water saving spray heads.
- Avoid plant fertilizing and pruning that would stimulate excessive growth. Time watering to occur in the early morning or evening to limit evaporation. Limit turf to as small an area as possible.
- Use native climate-adapted plants for landscaping. Native plants adapted to the area conserve water and protect the watershed from degradation due to invasive alien species.
- Dust control: Reclaimed water for dust control is available from the Kihei and Kahului Wastewater Treatment plants at a reasonable cost. It should be considered as an alternative source of water for dust control during construction.

Mr. Danny D. Dias, Staff Planner
April 7, 2015
Page 3

Should you have any questions, please contact Arnold Y. Imae, Staff Planner at Arnold.Imae@co.maui.hi.us or at (808) 463-3110.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Taylor". The signature is fluid and cursive, with the first name "Dave" being more prominent than the last name "Taylor".

Dave Taylor, P.E., Director

ayi

c: DWS Engineering Division
DWS Water Resources & Planning Division



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Planning | Project Management | Sustainable Solutions

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VICE PRESIDENT

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VICE PRESIDENT

Mitsuru "Mich" Hirano
SENIOR ADVISOR

August 5, 2015

Dave Taylor, Director
Department of Water Supply
200 South High Street
Wailuku, Hawaii 96793

SUBJECT: Wai'ale Project District South (CPA 2015/0001, CIZ 2015/0001, PH1 2015/0001)

Dear Mr. Taylor:

Thank you for your letter dated April 7, 2015 in response to the Planning Department's request for comments on the Wai'ale Project District South Community Plan Amendment, Change in Zoning, and Project District Phase I applications. On behalf of the Applicant, A&B Properties, Inc., we offer the following responses to your comments in the order of your comments:

1. As indicated, the Applicant is working in partnership with the Department of Water Supply (DWS) and other parties to develop a new ground water source for the Project. As part of this process, impacts to existing DWS wells will be evaluated.
2. It is noted that there is currently no infrastructure servicing the Project site and water system improvement requirements will be determined during the subdivision process.
3. Construction mitigation measures to ensure the protection of the Kahului aquifer will be implemented as appropriate.
4. DWS-recommended Indoor and Outdoor Conservation Measures will be implemented as appropriate.

Dave Taylor, Director
August 5, 2015
Page 2

We appreciate your timely review and comments on the proposed Project. Should you have any questions, please contact me at 244-2015.

Very truly yours,




Marisa Fujimoto
Senior Associate

MF:tn

Cc: Daniel Yasui, A&B Properties, Inc.
Danny Dias, Department of Planning
Adrienne Wong, Austin Tsutsumi & Associates, Inc.

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AGENCY TRANSMITTAL RESPONSE e-FORM
FOR DEPARTMENT OF PLANNING, COUNTY OF MAUI
5/4/2015

AGENCY NAME	Department of Environmental Mgmt.	PHONE	270-8230
PROJECT: APPLICANT: PERMIT NO: TMK: STREET ADDRESS: PROJECT DESCRIPTION: SECURITY CODE:	Wai'ale Project District South A&B Properties, Inc. CPA 2015/0001, CIZ 2015/0001 and PH1 2015/0001 (2)3-8-005:037 and 040 (por) Southwest corner of East Waiko Road and Kuihelani Highway intersection, Kahului, Maui, Hawaii A master planned residential community with single & mutli-family homes, village mixed use area, parks and open space, landscaped entries and collector roads, and related improvements.		
<input checked="" type="checkbox"/> COMMENTS/RECOMMENDATIONS <input type="checkbox"/> NO COMMENTS			
WASTEWATER RECLAMATION DIVISION COMMENTS a. The development will not be allowed to connect to the existing County wastewater collection system and treatment plant. b. The developer shall work with the County of Maui and adjacent developers to complete a master planned treatment solution for the Waikapu area. c. The developer shall contribute their fair share to the implementation of the final treatment solution.			
<input type="checkbox"/> COMMENTS/RECOMMENDATIONS <input checked="" type="checkbox"/> NO COMMENTS			
SOLID WASTE DIVISION COMMENTS Solid waste issues are addressed.			
Signed:			
Print Name:	Michael M. Miyamoto, Deputy Director		Date 5/1/15

August 5, 2015

Michael M. Miyamoto, Deputy Director
Department of Environmental Management
County of Maui
2050 Main Street, Suite 1C
Wailuku, Hawaii 96793

SUBJECT: Wai'ale Project District South (CPA 2015/0001, CIZ 2015/0001,
PH1 2015/0001)

Dear Mr. Miyamoto:

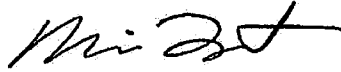
Thank you for your letter dated May 4, 2015 in response to the Planning Department's request for comments on the Wai'ale Project District South Community Plan Amendment, Change in Zoning, and Project District Phase I applications. On behalf of A&B Properties, Inc. (Applicant), we offer the following responses to your comments in the order of your comments:

1. It is noted that the development will not be allowed to connect to the existing County wastewater collection system and treatment plant.
2. The Applicant plans to continue to work with the County of Maui and adjacent developers on a regional treatment solution for the Waikapu area.
3. The Applicant will contribute its fair share to the implementation of the final treatment solution.

Michael Miyamoto, Deputy Director
August 5, 2015
Page 2

We appreciate your timely review and comments on the proposed Project. Should you have any questions, please contact me at 244-2015.

Very truly yours,



Marisa Fujimoto
Senior Associate

MF:tn

Cc: Daniel Yasui, A&B Properties, Inc.
Danny Dias, Department of Planning
Adrienne Wong, Austin Tsutsumi & Associates, Inc.

K:\DATA\A&B\Walaio PD Phase 1\Response Letters\DEM Response.doc

September 9, 2015

Mr. Danny Dias
Department of Planning
County of Maui
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

RE: Wai'ale Project District South
(CPA 2015/0001, CIZ 2015/0001, PH1 2015/0001)—Regional Wastewater Treatment

Dear Mr. Dias,

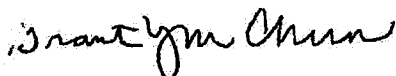
As you are aware, the County Department of Environmental Management (DEM) recently commissioned the Central Maui Recycled Water Study to examine wastewater treatment alternatives to support planned growth within the Central Maui region, which includes the Wai'ale Project.

A&B wholeheartedly supports this effort and is in discussions with the DEM to participate in a viable wastewater treatment project that meets the needs of planned growth within Central Maui. Based on discussions with DEM, we understand that the existing Wailuku-Kahului Wastewater Reclamation Facility (W-K WWRF) may currently have excess treatment capacity, although it may be insufficient to meet the needs of our entire project.

In that regard, we have discussed the possibility of service from the W-K WWRF on an interim basis, should the timing of Wai'ale and the new regional treatment facility require it. DEM has also indicated that it would be advantageous to connect Wai'ale to a new treatment facility when flows are at a level that would support efficient facility operation. We expect to continue discussions with the DEM and to reach agreement regarding our participation in a new regional treatment facility as Wai'ale proceeds through the entitlement and design process.

Thank you for the opportunity to clarify this matter. Please contact me should you have any questions.

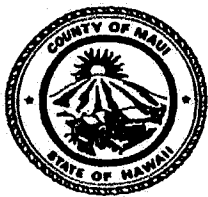
Sincerely,



Grant Y. M. Chun
Vice President

GYM:dy

cc: Mr. Kyle Ginoza, Department of Environmental Management



DEPARTMENT OF
HOUSING AND HUMAN CONCERNS
COUNTY OF MAUI

ALAN M. ARAKAWA
Mayor

JO-ANN T. RIDAO
Director

JAN SHISHIDO
Deputy Director

200 SOUTH HIGH STREET • WAILUKU, HAWAII 96793 • PHONE (808) 270-7805 • FAX 270-7165 • EMAIL director.hhc@mauicounty.gov

Date: April 7, 2015

To: Danny D. Dias, Staff Planner

From: Wayde T. Oshiro, Housing Administrator

Subject: **Preliminary Planning Review**
Residential Workforce Housing Policy; Ord 3418
Chapter 2.96, MCC; effective 12/5/2006

Project Name: **WAI'ALE PROJECT DISTRICT SOUTH**

Applicant: **A & B Properties, Inc.**

Subject I.D.: **CPA 2015/0001, CIZ 2015/0001 & PH1 2015/0001**

TMK: **(2) 3-8-005:037 and 040 (por)**

Street Address: Southwest corner of East Waiko Road & Kuihelani Highway

Determination:

<input type="checkbox"/> Not-Applicable Does not meet applicability as set forth in 2.96.030(A), MCC
<input checked="" type="checkbox"/> Applicable <input type="checkbox"/> No Exemptions <input checked="" type="checkbox"/> Exemptions: (2.96.030) <ul style="list-style-type: none"><input type="checkbox"/> B.1. An executed affordable housing agreement, currently in effect and approved prior to the effective date of chapter.<input checked="" type="checkbox"/> B.2. A development subject to a change in zoning condition that requires affordable or residential workforce housing.<input type="checkbox"/> B.3. A subdivision granted preliminary subdivision approval prior to the effective date of this chapter. (12/5/2006)<input type="checkbox"/> B.4. A building permit application submitted prior to the effective date of this chapter.<input type="checkbox"/> B.5. A family subdivision, for immediate family members, as described in sections 18.20.280(B)(1) and (B)(2) of this code.<input type="checkbox"/> B.6. A development by a government entity, 201H, community land trust, or an affordable housing project with more than the residential workforce housing units, in-lieu fees, or in-lieu land required by section 2.96.040, as approved by the director.

Additional Comments:

☒ **See comments below**
☐ **We have NO comment**

☐ **See Attachment(s)**

Applicant will contribute 50 acres to the County of Maui for affordable housing, community center and neighborhood park. Based on this requirement, the project is exempt from Chapter 2.96, Maui County Code (Section 2.96.030 B.2).

Reviewed By:

Wayde T. Oshiro
Wayde T. Oshiro, Housing Administrator

4/10/2015
Date

Exhibit "24"



DEPARTMENT OF
HOUSING AND HUMAN CONCERNS
HOUSING DIVISION
COUNTY OF MAUI

35 LUNALILO STREET, SUITE 102 • WAILUKU, HAWAII 96793 • PHONE (808) 270-7351 • FAX (808) 270-6254

ALAN M. ARAKAWA
Mayor
JO-ANN T. BIDAO
Director
JAN SPINER
Deputy Director

June 30, 2011

RECEIVED

JUL - 6 2011

A&B PROPERTIES-MAUI

Mr. Grant Chun
A & B Properties, Inc.
P.O. Box 156
Kahului, Hawaii 96732

Dear Mr. Chun:

Subject: Draft Environmental Impact Statement (DEIS) for Wai'ale of Maui, Hawaii. TMK's (2) 3-8-005:023 (por) and 037, and (2) 3-8-007:071, 101 (por) and 104

Thank you for the opportunity to review the Draft Environmental Impact Statement for the subject property. The Department would like to offer the following comment;

Applicant has indicated that Zoning Ordinance (Ordinance No. 3559) required A & B Properties, Inc. to contribute 50 acres to the County of Maui for Affordable Housing, Community Center and Neighborhood Park. Based on that requirement the subject project is exempt from Chapter 2.96, Maui County Code (Section 2.96.030 B.2).

Please call Mr. Veranio Tongson Jr. of our Housing Division at 270-1741 if you have any questions.

Sincerely,

Wayde T. Oshiro

WAYDE T. OSHIRO
Housing Administrator

cc: Director of Housing and Human Concerns



PBR HAWAII
& ASSOCIATES, INC.

October 7, 2011

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President

EVAN D. MAN, AIA
Executive Vice-President

KEVIN L. CHUNG, AIA, LEED AP
Executive Vice-President

VINCENT M. GILMAN
Vice-President

GRANT L. M. BAKAM, AIA, LEED AP
Principal

W. FRANK BRANDELMAN
Chairman Emeritus

ASSOCIATES

THOMAS C. WITTE, AIA
Senior Associate

RAYMOND L. MORGAN, AIA
Senior Associate

KEVIN L. CHUNG, AIA, LEED AP
Associate

EVAN D. MAN, AIA, LEED AP
Associate

WAYDE T. OSHIRO, AIA, LEED AP
Associate

VINCENT M. GILMAN, AIA, LEED AP
Associate

THOMAS C. WITTE, AIA, LEED AP
Associate

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Fax: (808) 521-1612
E-mail: info@pbrhawaii.com

KAPOLI OFFICE

1011 Kamehameha Boulevard and
Kapolei Building, Suite 111
Kapolei, Hawaii 96707-2045
Tel: (808) 521-1611
Fax: (808) 521-1612

Mr. Wayde T. Oshiro, Housing Administrator
County of Maui
Department of Housing and Human Concerns
Housing Division
35 Lunalilo Street, Suite 102
Wailuku, Hawaii 96793

Attn: Mr. Veranio Tongson Jr.

SUBJECT: WAI'ALE DRAFT ENVIRONMENTAL IMPACT STATEMENT

Dear Mr. Oshiro,

Thank you for your letter dated June 30, 2011 addressed to Mr. Grant Chun of A&B Properties, Inc., regarding the Wai'ale Draft Environmental Impact Statement (EIS). As the planning consultant for the applicant, A&B Properties, Inc., we are responding to your comments.

As noted in Section 1.0 of the Draft EIS, the applicant will contribute a total of 50 acres to the County of Maui for Affordable Housing (40 acres), Community Center (7 acres), and a Neighborhood Park (3 acres) to fulfill requirements of Ordinance No. 3559 for the Maui Business Park Phase II project.

Additionally, the remaining portion of the Wai'ale project would also be subject to the provisions of the Maui Residential Workforce Housing Policy, Chapter 2.96, Maui County Code. The Assessment of Economic and Fiscal Impacts (pages 1-2), Appendix P in the Draft EIS, includes a projected breakdown of the anticipated affordable units by income group and unit type for Wai'ale. A total of approximately 563 affordable units in four income categories are projected based on the provisions of the current workforce housing policy. We recognize that the actual allocation of affordable units would be based on discussions and agreement with the County Department of Housing and Human Concerns.

TO SUPPORT AND EMPOWER OUR COMMUNITY TO REACH ITS FULLEST POTENTIAL
FOR PERSONAL WELL-BEING AND SELF-RELIANCE

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PLANNING • LANDSCAPE ARCHITECTURE • ENVIRONMENTAL AESTHETICS • INTERIORS • PHOTOGRAPHY • GRAPHIC DESIGN

cultural preserve extends the open space of the regional park towards Waikapū. In addition, several smaller cultural preserves and related open space areas are integrated in the master plan. Wai'ale also includes greenways and open space along Kuihelani Highway, Kamehameha Avenue, and along Waikapū Stream to enhance the visual character of the community.

Bicycle/Pedestrian Paths:

Consistent with the concept of "complete streets", Wai'ale is envisioned as a bikeable/walkable community. A system of linked paths will provide pedestrians and bicyclists with another option for transportation throughout the community. Residents would be able to travel from their homes to the village mixed use areas, commercial center, parks, school, and other public uses on pedestrian and bicycle pathways that would run through a network of open spaces and greenways integral to the roadway system.

Landmark Civic or Institutional Buildings:

At prominent locations within the community, there will be opportunities to create buildings that have "landmark" qualities. These buildings could include civic or other institutional uses such as churches and will contribute to the overall character and visual orientation of the community.

County of Maui and State of Hawai'i Lands

Integrated into the master plan in the north-western portion of Wai'ale, 50 acres of land is planned to be contributed to the County of Maui. The lands are planned for the following uses: "workforce" housing (40 acres), community center (seven acres) and neighborhood park (three acres). As planned, the proposed County "workforce" housing will be located within walking/bicycling distance of the State's proposed Wai'ale regional park and Maui Lani regional park, the proposed DOE middle school site, Pōmaika'i elementary school, as well as the County's proposed community center and neighborhood park. In coordination with the adjacent Maui Lani master plan, there is opportunity to extend a road to access the County lands and provide better connectivity between the communities, including the mixed-use village of Maui Lani.

The planned extension of Kamehameha Avenue will provide access from Maui Lani to these proposed County and State facilities.

Although neither the County of Maui nor the State of Hawai'i are required to conform to these design principles, they will be encouraged to utilize these principles during the planning, design and development of their lands as applicable and appropriate.



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Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

Mitsuru "Mich" Hirano
SENIOR ADVISOR

August 5, 2015

Wayde T. Oshiro, Housing Administrator
Department of Housing and Human Concerns
35 Lunalilo Street, Suite 102
Wailuku, Hawaii 96793

SUBJECT: Wai'ale Project District South (CPA 2015/0001, CIZ 2015/0001,
PH1 2015/0001)

Dear Mr. Oshiro:

Thank you for your letter dated April 7, 2015 in response to the Planning Department's request for comments on the Wai'ale Project District South Community Plan Amendment, Change in Zoning, and Project District Phase I applications. On behalf of the Applicant, A&B Properties, Inc., we offer the following response to your comments:

Please note that the 50 acres of land that will be dedicated to the County of Maui for affordable housing, community center, and a neighborhood park is intended to fulfill requirements of Ordinance No. 3559 for the Maui Business Park Phase II project. Additionally, the Applicant will provide affordable housing for the Wai'ale Project District South in accordance with the Maui Residential Workforce Housing Policy, Chapter 2.96, Maui County Code.

Wayde T. Oshiro, Housing Administrator
August 5, 2015
Page 2

We appreciate your timely review and comments on the proposed Project. Should you have any questions, please contact me at 244-2015.

Very truly yours,



Marisa Fujimoto
Senior Associate

MF:tn

cc: Daniel Yasui, A&B Properties, Inc.
Danny Dias, Department of Planning

K:\DATA\A&B\Info\PD Phase\Responses\Letters\DHHC Response.doc



DEPARTMENT OF
HOUSING AND HUMAN CONCERNS
HOUSING DIVISION
COUNTY OF MAUI

ALAN M. ARAKAWA
Mayor
CAROL K. REIMANN
Director
JAN SHISHIDO
Deputy Director

35 LUNALILO STREET, SUITE 102 • WAILUKU, HAWAII 96793 • PHONE (808) 270-7351 • FAX (808) 270-6284

November 6, 2015

TO: Danny Davis
Staff Planner, Planning Department

FR: Buddy Almeida *RB*
Housing Administrator, Housing Division

RE: Wai'ale Project District South
TMK: (2) 3-8-005:37 and 040 (por)
Project review for applicability to Chapter 2.96 MCC

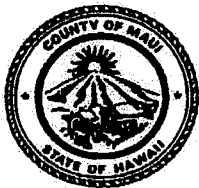
Danny,

Per our discussions, it has been determined that the above mentioned project is applicable to Chapter 2.96 MCC and must comply with all requirements.

The planning review of this project dated 4/10/15 has been voided.
Please replace it with the attached/amended review.

Please call or email me if you have any questions.

Thank you,
Buddy.



DEPARTMENT OF
HOUSING AND HUMAN CONCERNS
COUNTY OF MAUI

ALAN M. ARAKAWA
Mayor

CAROL K. REIMANN
Director

JAN SHISHIDO
Deputy Director

200 SOUTH HIGH STREET • WAILUKU, HAWAII 96793 • PHONE (808) 270-7805 • FAX 270-7165 • EMAIL director.hhc@mauicounty.gov


Date: November 6, 2015
To: Danny D. Davis, staff planner
From: C. Buddy Almeida, Housing Administrator
Subject: **Preliminary Planning Review**
Applicability to Residential Workforce Housing Policy; Ordinance 3418
Chapter 2.96, MCC; effective 12/5/2006

Project Name: **Wai'ale Project District South**
Applicant: **A&B Properties**
Subject I.D.: **CPA 2015/0001, CIZ 2015/001 & PH1 2015/0001**
TMK: **(2) 3-8-005:37 and 040 (por)**
Street Address: **South corner of East Waiko Road & Kuihelani Highway**
Determination:

<input type="checkbox"/> Not-Applicable Does not meet applicability as set forth in 2.96.030(A), MCC
<input checked="" type="checkbox"/> Applicable <input checked="" type="checkbox"/> No Exemptions <input type="checkbox"/> Exemptions: (2.96.030) <ul style="list-style-type: none"><input type="checkbox"/> B.1. An executed affordable housing agreement, currently in effect and approved prior to the effective date of chapter.<input type="checkbox"/> B.2. A development subject to a change in zoning condition that requires affordable or residential workforce housing.<input type="checkbox"/> B.3. A subdivision granted preliminary subdivision approval prior to the effective date of this chapter. (12/5/2006)<input type="checkbox"/> B.4. A building permit application submitted prior to the effective date of this chapter.<input type="checkbox"/> B.5. A family subdivision, for immediate family members, as described in sections 18.20.280(B)(1) and (B)(2) of this code.<input type="checkbox"/> B.6. A development by a government entity, 201H, community land trust, or an affordable housing project with more than the residential workforce housing units, in-lieu fees, or in-lieu land required by section 2.96.040, as approved by the director.

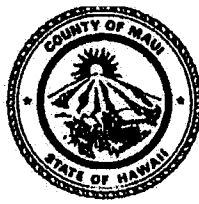
Additional Comments: ☐ **See comments below** ☐ **See Attachment(s)**
☒ **We have NO comment**

Reviewed By:


C. Buddy Almeida


Date

ALAN M. ARAKAWA
Mayor



KA'ALA BUENCONSEJO
Director

BRIANNE L. SAVAGE
Deputy Director

DEPARTMENT OF PARKS & RECREATION
700 Hali'a Nakoa Street, Unit 2, Wailuku, Hawaii 96793

(808) 270-7230
FAX (808) 270-7934

April 17, 2015

COUNTY OF MAUI
DEPT. OF PLANNING - CURRENT

APR 21 2015

RECEIVED

Mr. William Spence, Director
Attention: Danny Dias, Staff Planner
Department of Planning
County of Maui
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

Dear Mr. Spence:

**SUBJECT: WAI'ALE PROJECT DISTRICT SOUTH
CPA 2015/0001, CIZ 2015/0001, AND PH1 2015/0001
TMK: (2) 3-8-005:037 AND 040(POR.)
KAHULUI, MAUI, HAWAII**

Thank you for the opportunity to review and comment on the subject project. The Department of Parks and Recreation has determined that the Wai'ale Project is within the "urban growth boundaries" of the Directed Growth Maps in the approved Maui Island Plan.

The Wai'ale Design Principles describe the development standards for the park and open space district to include a maximum building height of 35 feet from finished grade (Appendix C). We would like to request for this height restriction to be increased to 50 feet, as we anticipate the future community center in the development to exceed the 35 foot building height limit.

Should you have any questions or concerns, please feel free to contact me or Robert Halvorson, Chief of Planning and Development, at 270-7931.

Sincerely,

A handwritten signature in black ink, appearing to read "Ka'ala Buenconsejo", is written over the typed name.

KA'ALA BUENCONSEJO
Director of Parks & Recreation

c: Robert Halvorson, Chief of Planning and Development

KB:RH:csa

Exhibit "25"



MUNEKIYO HIRAGA

Planning, Project Management, Sustainable Solutions

Michael T. Munekiyo
PRESIDENT

Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

Mitsuru "Mich" Hirano
SENIOR ADVISOR

August 5, 2015

Ka'ala Buenconsejo, Director
Department of Parks & Recreation
County of Maui
700 Hali'a Nakoa Street, Unit 2
Wailuku, Hawaii 96793

**SUBJECT: Wai'ale Project District South (CPA 2015/0001, CIZ 2015/0001,
PH1 2015/0001)**

Dear Mr. Buenconsejo:

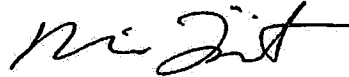
Thank you for your letter dated April 17, 2015 in response to the Planning Department's request for comments on the Wai'ale Project District South Community Plan Amendment, Change in Zoning, and Project District Phase I applications. On behalf of the Applicant, A&B Properties, Inc., we offer the following response to your comments:

It is noted that the Department of Parks & Recreation anticipates the future community center in the Wai'ale North development may exceed the 35-foot building height limit specified in the Wai'ale Design Principles and is therefore requesting that the maximum building height be increased to 50-feet. Pages 1 and 4 of the Wai'ale Design Principles document notes that County and State agencies will develop their land independent of Wai'ale, and while they are encouraged to utilize the Wai'ale Design Principles in the planning, design, and development of their land in the Wai'ale North area, these areas are not required to conform to these principles. Therefore, the Wai'ale Design Principles would not pose an impediment to the proposed community center's design criteria which may include a building height of up to 50 feet.

Ka'ala Buenconsejo, Director
August 5, 2015
Page 2

We appreciate your timely review and comments on the proposed Project. Should you have any questions, please contact me at 244-2015.

Very truly yours,



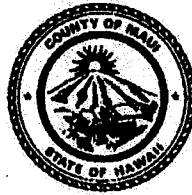
Marisa Fujimoto
Senior Associate

MF:tn

Cc: Daniel Yasui, A&B Properties, Inc.
Danny Dias, Department of Planning

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ALAN M. ARAKAWA
Mayor



KA'ALA BUENCONSEJO
Director

BRIANNE L. SAVAGE
Deputy Director

DEPARTMENT OF PARKS & RECREATION

700 Hali'a Nakoa Street, Unit 2, Wailuku, Hawaii 96793

(808) 270-7230
FAX (808) 270-7934

August 24, 2015

Ms. Marisa Fujimoto
Munekiyo Hiraga
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Ms. Fujimoto:

**SUBJECT: WAI'ALE PROJECT DISTRICT SOUTH
CPA 2015/0001, CIZ 2015/0001, AND PH1 2015/0001
TMK: (2) 3-8-005:037 AND 040(POR.)
KAHULUI, MAUI, HAWAII**

Thank you for your letter dated August 5, 2015, clarifying that the County will be able to develop our land independent of the Wai'ale Design Principles, and proceed with the future community center in the Wai'ale North development, currently anticipated to have a building height of up to 50 feet.

Should you have any questions or concerns, please feel free to contact me or Robert Halvorson, Chief of Planning and Development, at 270-7931.

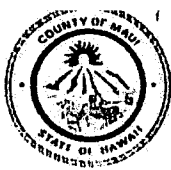
Sincerely,

A handwritten signature in black ink, appearing to read "Ka'ala Buenconsejo", is written over a horizontal line.

KA'ALA BUENCONSEJO
Director of Parks & Recreation

c: Danny Dias, Department of Planning
Robert Halvorson, Chief of Planning and Development

KB:RH:csa



ALAN M. ARAKAWA
MAYOR

OUR REFERENCE

YOUR REFERENCE

POLICE DEPARTMENT

COUNTY OF MAUI

55 MAHALANI STREET
WAILUKU, HAWAII 96793
(808) 244-6400
FAX (808) 244-6411



TIVOLI S. FAAUMU
CHIEF OF POLICE

DEAN M. RICKARD
DEPUTY CHIEF OF POLICE

April 15, 2015

MEMORANDUM

TO : DANNY D. DIAS, STAFF PLANNER
DEPARTMENT OF PLANNING

FROM : TIVOLI S. FAAUMU, CHIEF OF POLICE

SUBJECT : PERMIT NO.: CPA 2015/0001, CIZ 2015/0001, and PH1
2015/0001
TMK : (2) 3-8-005: 037 and 040 (por.)
Project
Name : Wai'ale Project District South
Applicant : A & B Properties, Inc.

☐ No recommendation or comment to offer.

☒ Refer to enclosed comments and/or recommendations.

Thank you for giving us the opportunity to comment on this project.

Assistant Chief Victor K. Ramos
For: TIVOLI S. FAAUMU
Chief of Police

Enclosure

Exhibit "26"

TO : TIVOLI S. FAAUMU, CHIEF OF POLICE, COUNTY OF MAUI

VIA : CHANNELS

FROM : JHUN-LEE CASIO, POLICE OFFICER III, COMMUNITY POLICING

Victor K. Ramos
Assistant Chief
4/14/15

**SUBJECT : RESPONSE FOR WAI'ALE PROJECT DISTRICT SOUTH
(A master planned residential community with single and multi-Family homes, village mixed use area, parks and open space, landscaped entries and collector roads, and related improvements)**

This communication is submitted as a response to a request for review and comment for Wai'ale Project District South from Danny D. DIAS, Staff Planner, County of Maui Department of Planning:

PROJECT	:	WAI'ALE PROJECT DISTRICT SOUTH
TMK #	:	(2) 3-8-005:037 and 040 (por)
PERMIT NO.	:	CPA 2015/0001, CIZ 2015/0001, and PH1 2015/0001
APPLICANT	:	A & B Properties, Inc.
ADDRESS	:	Southwest corner of East Waiko Road and Kuihelani Highway Intersection, Kahului, Maui, Hawaii
DESCRIPTION	:	A master planned residential community with single and multi-Family homes, village mixed use area, parks and open space, landscaped entries and collector roads, and related improvements.

RESPONSE:

In review of the submitted documents, concerns from the police perspective area upon the safety of pedestrian and vehicular movement.

The Alexander and Baldwin Inc. is the applicant of the Wai'ale Project District South. This project is located on the southeast corner of East Waiko Road and Kuihelani Highway intersection in Kahului which comprises approximately 545 acres of land. The Wai'ale South master planned project consist of 950 residential community with single and multi-family homes, village mixed use area, parks and open space, landscaped entries and collector roads, and related improvements.

There are residences and existing business' in close proximity to this project and during the construction phases, extreme efforts should be made to minimize noise, dust, and debris so not to inhibit those whose health and well being may be affected. Adequate traffic control devices and personnel should also be utilized to minimize the impacts to pedestrian and vehicular movement by the heavy equipment and vehicles traveling in and out of the area. It is the duty of the project manager to examine the impact of vehicular movement within the area while work is conducted on this project.

This project is expected to increase vehicular traffic along Waiko Road, Maui Lani Parkway, Kamehameha Avenue, and Kuihelani Highway for traffic movement. It is also important to consider proper and adequate lighting during evening, late night, and early morning hours during construction and after the project is completed. Congregation of the unlawful element, whether it is by status offense or by criminal offense tends to occur in poorly lit areas that are easily accessible and away from the general population. This type of congregation usually leads to offenses such as Curfew Violations, Underage Drinking, Drug offenses, Littering, and Criminal Property Damage. For these reasons, it is strongly suggested that proper lighting for this project be provided in order for not only the safety of vehicular movement but for crime prevention and deterrence as well.

CONCLUSION:

There are no objections to the progression of this project at this time, from the police standpoint, in regards to pedestrian and vehicular movement.

Respectfully Submitted,

Jhun-lee Casio

Jhun-lee Casio E#12935

Police Officer III / Community Policing

04/08/15 @ 1530 hrs

*CONCUR W/ JFC CASIO'S COMMENTS
SUBJECT REVIEW BY FORWARDED
A/SIT. *[Signature]**

*forwarded for review
by Training Dept.
J. Allen
4/10/15*

August 5, 2015

Tivoli S. Faaumu, Chief
Maui Police Department
55 Mahalani Street
Wailuku, Hawaii 96793

SUBJECT: Wai'ale Project District South (CPA 2015/0001, CIZ 2015/0001, PH1 2015/0001)

Dear Chief Faaumu:

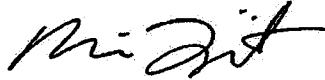
Thank you for your letter dated April 15, 2015 in response to the Planning Department's request for comments on the Wai'ale Project District South Community Plan Amendment, Change in Zoning, and Project District Phase I applications. On behalf of the Applicant, A&B Properties, Inc., we offer the following response to your comments in the order of your comments:

1. The Applicant will ensure that Best Management Practices are used to minimize noise, dust, and debris during construction to protect the health and safety of the residents and business owners and patrons in the vicinity of the Project area. The Applicant will also utilize appropriate traffic control devices and personnel to minimize impacts to pedestrian and vehicular movement within the area during construction.
2. Additionally, the Applicant will consider lighting and other factors to facilitate safe vehicular movement and deter unlawful congregation in the Project area during and after construction.

Tivoli S. Faaumu, Chief
August 5, 2015
Page 2

We appreciate your timely review and comments on the proposed Project. Should you have any questions, please contact me at 244-2015.

Very truly yours,



Marisa Fujimoto
Senior Associate

MF:tn

cc: Daniel Yasui, A&B Properties, Inc.
Danny Dias, Department of Planning

K:\DATA\A&B\WaialealePD PhaseII\Response Letters\Police Response.doc

DAVID Y. IGE
GOVERNOR



DOUGLAS MURDOCK
Comptroller

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
LAND SURVEY DIVISION
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

COUNTY OF MAUI
DEPT OF PLANNING
SERVICES RECEIVED
Response refer to:
Ma-062(15)

'15 APR -2 P12:28

March 30, 2015

MEMORANDUM

TO: William R. Spence, Director
Department of Planning, County of Maui

ATTN: Danny D. Dias, Staff Planner

FROM: Reid K. Siarot, State Land Surveyor *WRS*
DAGS, Survey Division

SUBJECT: Waiale Project District South
Applicant: A&B Properties, Inc.
Permit Nos.: CPA 2015/0001, CIZ 2015/0001 and PH1 2015/0001
TMK: 3-8-05: 37 and Por. 40

The subject proposal has been reviewed and confirmed that no Government Survey Triangulation Stations or Benchmarks are affected. Survey has no objections to the proposed project.

Should you have any questions, please call me at 586-0390.

Exhibit "27"



MUNEKIYO HIRAGA

Planning Project Management Sustainable Solutions

Michael T. Munekiyo
PRESIDENT

Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

Mitsuru "Mich" Hirano
SENIOR ADVISOR

August 5, 2015

Reid K. Siarot, State Land Surveyor
Department of Accounting and General Services
Land Survey Division
P.O. Box 119
Honolulu, Hawaii 96810

SUBJECT: Wai'ale Project District South (CPA 2015/0001, CIZ 2015/0001,
PH1 2015/0001)

Dear Mr. Siarot:

Thank you for your letter dated March 30, 2015 in response to the Planning Department's request for comments on the Wai'ale Project District South Community Plan Amendment, Change in Zoning, and Project District Phase I applications.

On behalf of the Applicant, A&B Properties, Inc., we note that the Department of Accounting and General Services Land Survey Division confirmed that no Government Survey Triangulation Stations or Benchmarks are affected and there are no objections to the proposed Project.

We appreciate your timely review and comments on the proposed Project. Should you have any questions, please contact me at (808) 244-2015.

Very truly yours,

Marisa Fujimoto
Senior Associate

MF:tn

cc: Daniel Yasui, A&B Properties, Inc.
Danny Dias, Department of Planning

K:\DATA\A&B\Wai'ale\PO Phase I\Responses\Letter to AGS Response.doc
Main: 305 High Street, Suite 104 • Wailuku, Hawaii 96793 • Tel: 808.244.2015 • Fax: 808.244.8729
Oahu: 735 Bishop Street, Suite 321 • Honolulu, Hawaii 96813 • Tel: 808.983.1233
www.munekiyo-hiraga.com

DAVID Y. IGE
GOVERNOR OF HAWAII



VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to
File

EPO 15-072

April 23, 2015

Mr. Danny D. Dias, Staff Planner
County of Maui
Department of Planning
One Main Plaza Building
2200 Main Street, Suite 315
Wailuku, Hawaii 96793
Via email: danny.dias@mauicounty.gov

Dear Mr. Dias:

**SUBJECT: Wai'ale Master Planned Residential Community Application
Kahului, Maui**

The Department of Health (DOH), Environmental Planning Office (EPO), acknowledges receipt of your application and cds to our office on March 20, 2015 related to the November 2011 FEIS available at:
[http://oegc.doh.hawaii.gov/Shared%20Documents/EA and EIS Online Library/Maui/2010s/2011-11-23-FEIS-Waiale-Volume1.pdf](http://oegc.doh.hawaii.gov/Shared%20Documents/EA%20and%20EIS%20Online%20Library/Maui/2010s/2011-11-23-FEIS-Waiale-Volume1.pdf)

Thank you for allowing us to review and comment on the proposed project. EPO recommends that you review the standard comments and available strategies to support sustainable and healthy design provided at:
<http://health.hawaii.gov/epo/home/landuse-planning-review-program>. Projects are required to adhere to all applicable standard comments. In the Final EIS on page 247-248 we note that the project requires a NPDES Permit, and that an application needs to be submitted to DOH, SDWB for New Raw Water Source, Capacity, and Construction Plans once a water source is determined.

We encourage you to examine and utilize the Hawaii Environmental Health Portal. The portal provides links to our e-Permitting Portal, Environmental Health Warehouse, Groundwater Contamination Viewer, Hawaii Emergency Response Exchange, Hawaii State and Local Emission Inventory System, Water Pollution Control Viewer, Water Quality Data, Warnings, Advisories and Postings. The Portal is continually updated. Please visit it regularly at:
<https://eha-cloud.doh.hawaii.gov>

You may also wish to review the revised Water Quality Standards Maps that have been updated for all islands. The Water Quality Standards Maps can be found at:
<http://health.hawaii.gov/cwb/site-map/clean-water-branch-home-page/water-quality-standards>

We request that you utilize all of this information on your proposed project to increase sustainable, innovative, inspirational, transparent and healthy design.

Mahalo nui loa,

Laura Leialoha Phillips McIntyre, AICP
Program Manager, Environmental Planning Office

c: DHO Maui, CWB, SDWB & WWB (via email only)

Exhibit "28"



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

COUNTY OF MAUI
DEPT OF PLANNING
CURRENT DIV-RECEIVED

In reply, please refer to
File:

EPO 15-072

June 19, 2015 15 JUN 22 P12:09

To: Danny D. Dias, Staff Planner (via email: danny.dias@mauicounty.gov)
County of Maui, Department of Planning

From: Laura McIntyre, AICP
Program Manager, Environmental Planning Office

Subject: Wai'ale Master Planned Residential Community Application
Kahului, Maui

PROJECT:	WAI'ALE PROJECT DISTRICT SOUTH
APPLICANT:	A&B Properties, Inc.
STREET ADDRESS:	Southwest corner of East Waike Road and Kuhiolani Highway intersection, Kahului, Maui, Hawaii
PROJECT DESCRIPTION:	A master planned residential community with single & multi-family homes, village mixed use area, parks and open space, landscaped entries and collector roads, and related improvements
TMK:	(2) 3-8-005:037 and 040 (por)
PERMIT NO.:	CPA 2015/0001, CIZ 2015/0001, and PH1 2015/0001

The Department of Health (DOH), Environmental Planning Office (EPO), acknowledges receipt of the application and cds to our office on March 20, 2015 related to the November 2011 FEIS available at:

[http://oegc.doh.hawaii.gov/Shared%20Documents/EA and EIS Online Library/Maui/2010s/2011-11-23-FEIS-Waiale-Volume1.pdf](http://oegc.doh.hawaii.gov/Shared%20Documents/EA%20and%20EIS%20Online%20Library/Maui/2010s/2011-11-23-FEIS-Waiale-Volume1.pdf)

Thank you for allowing us to review and comment on the proposed project. EPO recommends that you review the numerous DOH DEIS comments and the FEIS responses and ensure their completeness and accuracy.

<u>Department of Health (DOH)</u>	<u>X</u>	<u>=</u>
<u>DOH - Clean Air Branch</u>	<u>X</u>	<u>07-22-2011</u>
<u>DOH - Clean Water Branch</u>	<u>X</u>	<u>06-23-2011,</u> <u>07-12-2011</u>
<u>DOH - Compliance Assistance Office</u>	<u>X</u>	<u>=</u>
<u>DOH - Environmental Planning Office</u>	<u>X</u>	<u>=</u>
<u>DOH - Hazard Evaluation and Emergency Response Office</u>	<u>X</u>	<u>=</u>
<u>DOH - Indoor and Radiological Health Branch</u>	<u>X</u>	<u>06-15-2011</u>
<u>DOH - Maui District Health Office</u>	<u>X</u>	<u>06-13-2011</u>
<u>DOH - Office of Environmental Quality Control</u>	<u>X</u>	<u>07-29-2011</u>
<u>DOH - Safe Drinking Water Branch</u>	<u>X</u>	<u>07-21-2011</u>
<u>DOH - Sanitation Branch</u>	<u>X</u>	<u>=</u>
<u>DOH - Solid and Hazardous Waste Branch</u>	<u>X</u>	<u>=</u>
<u>DOH - Vector Control Branch</u>	<u>X</u>	<u>=</u>
<u>DOH - Wastewater Branch</u>	<u>X</u>	<u>06-15-2011</u>

Our current standard comments and available strategies to support sustainable and healthy design are provided at: <http://health.hawaii.gov/epo/home/landuse-planning-review-program>.

Projects are required to adhere to all applicable standard comments. In the Final EIS on page 247-248 we note that the project requires a NPDES Permit, and that an application needs to be submitted to DOH, Safe Drinking Water Branch for New Raw Water Source, Capacity, and Construction Plans once a water source is determined.

1. National Pollutant Discharge Elimination System (NPDES) permit coverage will be required for this project. The Clean Water Branch should be contacted at (808) 586-4309 and relevant information should be reviewed at:
 - a. <http://health.hawaii.gov/cwb>
 - b. <http://health.hawaii.gov/cwb/site-map/clean-water-branch-home-page/standard-npdes-permit-conditions>
 - c. <http://health.hawaii.gov/cwb/site-map/clean-water-branch-home-page/forms>
2. The Safe Drinking Water Branch (SDWB) should be consulted and can be contacted at: Phone: (808) 586-4258 Fax: (808) 586-4351 E-Mail: sdwb@doh.hawaii.gov EPO also recommends that the applicant, consultant and County review the SDWB website: <http://health.hawaii.gov/sdwb>
3. A Private Wastewater Treatment Plant may be required or the project must connect to the County sewer system. The Wastewater Branch should be contacted at (808) 586-4294 and relevant information should be reviewed at: <http://health.hawaii.gov/wastewater>
4. If a large amount of dust may be created during the construction phase of the project then the Clean Air Branch should be consulted at: Clean Air Branch Hawaii Department of Health 919 Ala Moana Blvd., Suite 203 Honolulu, Hawaii 96814 or via e-mail: cab@doh.hawaii.gov or via Phone: (808) 586-4200 between 7:45 a.m. and 4:15 p.m. or via Fax: (808) 586-4359. You may also wish to call toll-free from the neighbor islands. From Maui call 984-2400, then enter "64200".
5. The noise created during the construction phase of the project may exceed the maximum allowable levels as set forth in Hawaii Administrative Rules, Chapter 11-46, "Community Noise Control". A noise permit may be required and should be obtained before the commencement of work. Please call the Indoor and Radiological Health Branch at (808) 586-4700 and review relevant information online at:
 - a. <http://health.hawaii.gov/irhb>
 - b. <http://health.hawaii.gov/irhb/noise>
6. The Hazard Evaluation and Emergency Response (HEER) Office's Site Discovery and Response (SDAR) Section should perhaps be contacted. The SDAR section protects human health and the environment by identifying, investigating, and remediating sites

Mr. Danny D. Dias
Page 3
June 19, 2015

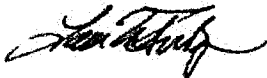
contaminated with hazardous substances (non-emergency site investigations and cleanup). The HEER Office's SDAR Section can be contacted at: (808) 586-4249 and relevant information can be reviewed at: <http://eha-web.doh.hawaii.gov/eha-cma/Leaders/HEER/site-assessment-and-cleanup-programs>

We encourage the developer, consultant and you to examine and utilize the Hawaii Environmental Health Portal. The portal provides links to our e-Permitting Portal, Environmental Health Warehouse, Groundwater Contamination Viewer, Hawaii Emergency Response Exchange, Hawaii State and Local Emission Inventory System, Water Pollution Control Viewer, Water Quality Data, Warnings, Advisories and Postings. The Portal is continually updated. Please visit it regularly at: <https://eha-cloud.doh.hawaii.gov>

We also recommend that the applicant, consultant and the county review the revised Water Quality Standards Maps that have been updated for all islands. The Water Quality Standards Maps can be found at: <http://health.hawaii.gov/cwb/site-map/clean-water-branch-home-page/water-quality-standards>

We request that you utilize all of this information to increase sustainable, innovative, inspirational, transparent and healthy design.

Mahalo nui loa,



Laura Leialoha Phillips McIntyre, AICP
Program Manager, Environmental Planning Office

LM:nn

c: DHO Maui, CWB, SDWB, WWB, CAB, IRHB, HEER (via email only)



MUNEKIYO HIRAGA

Planning Project Management Sustainable Solutions

Michael T. Munekiyo
PRESIDENT

Karlynn K. Fukuda
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Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

Mitsuru "Mich" Hirano
SENIOR ADVISOR

August 5, 2015

Laura Leialoha Phillips McIntyre, AICP
Program Manager, Environmental Planning Office
Department of Health
P.O. Box 3378
Honolulu, Hawaii 96801

SUBJECT: Wai'ale Project District South (CPA 2015/0001, CIZ 2015/0001,
PH1 2015/0001)

Dear Ms. McIntyre:

Thank you for your letters dated April 23 and June 19, 2015 in response to the Planning Department's request for comments on the Waiale Project District South Community Plan Amendment, Change in Zoning, and Project District Phase I applications.

On behalf of the Applicant, A&B Properties, Inc., we offer the following responses to your comments:

1. The Applicant will obtain National Pollutant Discharge Elimination System (NPDES) permit coverage, as applicable.
2. The Applicant will continue coordination with the Department of Water Supply (DWS) to develop a new water source and water system improvements and will consult with the Safe Drinking Water Branch, as appropriate.
3. The Applicant plans to continue working with the County of Maui Department of Environmental Management and adjacent developers on a regional treatment solution for the Waikapu area.
4. The Applicant will ensure that Best Management Practices are implemented during construction to mitigate construction-related impacts to air quality and will consult the Clean Air Branch, as applicable.

5. As applicable, the Applicant will comply with the Hawaii Administrative Rules, Chapter 11-46, "Community Noise Control" and obtain a noise permit, as applicable.
6. Should hazardous substances be identified within the proposed project area, the Hazard Evaluation and Emergency Response Office will be contacted, as appropriate.
7. The information on the Environmental Health Portal and the standard comments on the Department of Health (DOH) website will be considered and implemented as applicable to the project.

Additionally, the DOH comments on the Draft and Final Environmental Impact Statements (EIS) are acknowledged.

We appreciate your timely review and comments on the proposed project. Should you have any questions, please contact me at (808) 244-2015.

Very truly yours,



Marisa Fujimoto
Senior Associate

MF:tn

Cc: Daniel Yasui, A&B Properties, Inc.
Danny Dias, Department of Planning
Adrienne Wong, Austin Tsutsumi & Associates, Inc.

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**STATE OF HAWAII
DEPARTMENT OF HEALTH
MAUI DISTRICT HEALTH OFFICE
54 HIGH STREET
WAILUKU, HAWAII 96793-3378**

April 13, 2015

COUNTY OF MAUI
DEPT. OF PLANNING - CURRENT

APR 13 2015

RECEIVED

Mr. William R. Spence
Director
Department of Planning
One Main Plaza Building
2200 Main Street, Suite 315
Wailuku, Hawai'i 96793

Attn: Danny D. Dias

Dear Mr. Spence:

Subject: Wai'ale Project District South
Applicant: A&B Properties, Inc.
Permit No.: CPA 2015/0001, CIZ 2015/0001, and PH1 2015/0001
TMK: (2) 3-8-005:037 and 040 (por)
Project Location: Southwest corner of East Waiko Road and Kuihelani Highway intersection, Kahului, Maui
Project Description: A master planned residential community with single & multi-family homes and collector roads and related improvements

Thank you for the opportunity to review this project. We have the following comments to offer:

1. National Pollutant Discharge Elimination System (NPDES) permit coverage may be required for this project. The Clean Water Branch should be contacted at 808 586-4309.
2. The noise created during the construction phase of the project may exceed the maximum allowable levels as set forth in Hawaii Administrative Rules, Chapter 11-46, "Community Noise Control." A noise permit may be required and should be obtained before the commencement of work. Please call the Indoor & Radiological Health Branch at 808 586-4700.

It is strongly recommended that the Standard Comments found at the Department's website: <http://health.hawaii.gov/epo/home/landuse-planning-review-program/> be reviewed and any comments specifically applicable to this project should be adhered to.

Exhibit "29"

Mr. William R. Spence
April 13, 2015
Page 2

Should you have any questions, please contact me at 808 984-8230.

Sincerely,

A handwritten signature in black ink that reads "Patti Kitkowski". The signature is written in a cursive style with a large, stylized "P" and "K".

Patti Kitkowski
District Environmental Health Program Chief

c EPO

August 5, 2015

Patti Kitkowski, District Environmental
Health Program Chief
Department of Health
54 High Street
Wailuku, Hawaii 96793

SUBJECT: Wai'ale Project District South (CPA 2015/0001, CIZ 2015/0001,
PH1 2015/0001)

Dear Ms. Kitkowski:

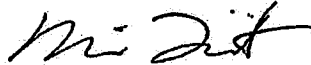
Thank you for your letter dated April 13, 2015 in response to the Planning Department's request for comments on the Wai'ale Project District South Community Plan Amendment, Change in Zoning, and Project District Phase I applications. On behalf of the Applicant, A&B Properties, Inc., we offer the following response to your comments in the order of your comments:

1. The Applicant will obtain National Pollutant Discharge Elimination System (NPDES) permit coverage as applicable.
2. As applicable, the Applicant will comply with the Hawaii Administrative Rules, Chapter 11-46, "Community Noise Control" and obtain a noise permit if needed.
3. The Applicant will review and adhere to the standard comments on the Department's website as applicable.

Patti Kitkowski, District Environmental
Health Program Chief
August 5, 2015
Page 2

We appreciate your timely review and comments on the proposed Project. Should you have any questions, please contact me at 244-2015.

Very truly yours,



Marisa Fujimoto
Senior Associate

MF:tn

Cc: Daniel Yasui, A&B Properties, Inc.
Danny Dias, Department of Planning
Adrienne Wong, Austin Tsutsumi & Associates, Inc.

K:\DATA\A&B\Waialeale PD Phase I Response Letters\DOH Maui Response.doc



APR 22 2015

RECEIVED

STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF SCHOOL FACILITIES AND SUPPORT SERVICES

April 17, 2015

Mr. Danny D. Dias, Staff Planner
Department of Planning
County of Maui
250 South High Street
Wailuku, Hawaii 96793

Re: Application for Community Plan Amendment, Change in Zoning, and Project District
Development (Phase I) for Wai`ale Project District South
CPA 2015/0001, CIZ 2015/0001, and PH1 2015/0001

Dear Mr. Dias:

This is an extremely important opportunity for the Department of Education (DOE) to comment on the A&B Properties, Inc. (A&B) application for County of Maui land entitlements for its Wai`ale project. The importance is based on:

- the size of the Wai`ale project;
- the conditions imposed on the project when it received its Urban classification, and
- the requirements of the DOE's school impact fee statute
(Chapter 302-A, Section 1601-1612, Hawaii Revised Statutes).

The DOE does not yet have an executed Educational Contribution Agreement (ECA) for the Wai`ale project. This is our last opportunity to state the necessity of the DOE having an executed document before Maui County grants any type of approval for the project.

The A&B application and supporting documents best state the magnitude of the Wai`ale plans: Wai`ale is the largest proposed town on the island of Maui. It is intended to supply half of all the new residential units in Central Maui. The DOE understood years ago that the Wai`ale project would have significant impact on DOE schools serving Central Maui and that the project would require additional school sites.

The application describes all the benefits of the entire 545-acre proposed new master planned community as a whole, but then limits the area seeking approvals to less than half of the project area. The DOE wonders about the implications of splitting this project. What are the impacts of creating such distinct phases? The DOE is required to execute an ECA with the master developer of

Exhibit "30"

Mr. Danny Dias
July 17, 2015
Page 2

a project as a whole, very early in the process of land use entitlements. We are concerned that the bifurcation of Wai`ale weakens our ability to secure an improved school site.

The DOE's authority to collect future school sites is based on the June 2012 Decision and Order (D&O) of the State Land Use Commission (SLUC) and the school impact fee statute referenced earlier in this letter.

There are three conditions in the D&O of concern to the DOE. The most obvious is Condition No. 18, which specifies that an ECA specifying the fair-share contribution for the development, funding and/or construction of school facilities, would be executed prior to zone change approval. Condition No. 20 requires the completion of backbone infrastructure within 10 years of the D&O. Condition No. 23 requires A&B to notify the SLUC of any intent to alter the ownership of the Wai`ale project prior to completion of development. The A&B 2014 Annual Report to the SLUC indicates no changes of ownership are being contemplated.

The DOE is concerned that if by breaking up the project into Wai`ale South and Wai`ale North, A&B could assume it can break up its compliance with the SLUC conditions. A&B cannot break up its compliance with the SLUC conditions. Pursuant to the June 2012 SLUC D&O, an ECA must be executed for the entire Wai`ale project as a whole before rezoning approval of any portion of the project. The DOE cannot accept different ECA's for different phases of the project.

Likewise, the DOE expects and is planning on full compliance with the D&O's condition that backbone infrastructure be completed within 10 years of the D&O. The DOE does not want to be in a position of waiting for infrastructure after it has been provided to other neighboring areas of Wai`ale.

Finally, the DOE only wants to execute one ECA with the master developer of the project before there are any further changes in ownership. Requirements in the ECA run with the land, all the land in the project. We do not believe that school site requirements should be negotiated with any other new landowner, even if there is currently no intention to sell.

The State's school impact fee law requires payment of fees from anyone developing new residences located within school impact fee districts. The DOE needs to notify agencies approving zoning, subdivision or any other land approvals of DOE's intent to require a dedication of land, a fee in lieu of land, or a combination of both from any residential developments with fifty or more units. The DOE states its intent in an executed ECA with the developer. When a land dedication is required, the land is conveyed following subdivision improvements and any necessary off-site infrastructure.

The DOE would like to direct attention to a point raised in the Wai`ale Design Principles that were included as supplemental information provided to the application. The DOE, as an agency of the State of Hawaii, shall not be required to follow any design principles that may conflict with school

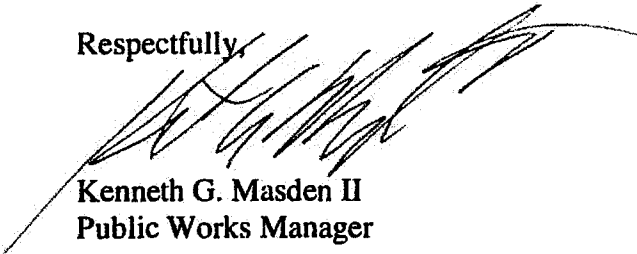
Mr. Danny Dias
July 17, 2015
Page 3

design requirements. Our exception to these principles and other community rules and regulations is a point included in all our standard ECA documents.

The DOE is concerned that most of the descriptive material concerning the benefits and substantial positive factors of Wai`ale are the characteristics of the 545-acre project. It is difficult to get a clear picture of Wai`ale South, by itself. The DOE is even more concerned that the County of Maui might approve the Wai`ale South applications before we are able to get an executed ECA for the entire Wai`ale project. Such a scenario jeopardizes our ability to develop a middle school in the project.

The DOE appreciates this opportunity to identify our concerns about the A&B application for the Wai`ale South project. We would welcome an opportunity to discuss these issues with you as the review process continues. If you have any questions, please call Heidi Meeker of the Facilities Development Branch at (808) 377-8301.

Respectfully,



Kenneth G. Masden II
Public Works Manager

KGM:jmb

c: Alvin Shima, Baldwin/Kekaulike/Maui Complex Area Superintendent
William R. Spence, Director, Department of Planning, County of Maui

August 3, 2015

DEPT OF PLANNING
CURRENT DIV RECEIVED

Mr. Kenneth G. Masden II
Public Works Manager
Planning Section
Department of Education
State of Hawaii
P.O. Box 2360
Honolulu, Hawaii 96804

15 AUG -6 A9:20

Dear Mr. Masden:

SUBJECT: Wai'ale Project District South (CPA 2015/0001, CIZ 2015/0001, PH1
2015/0001)

This is in response to your letter dated April 17, 2015, concerning the Maui Planning Department's request for comments on the Wai'ale Project District South Community Plan Amendment, Change in Zoning, and Project District Phase I applications.

Since your April 17, 2015 letter, we met with your staff to discuss the comments in your letter. We are pleased to report that these discussions have resulted in an educational contribution agreement for the entire Waiale project. The agreement is in the process of being executed. We appreciate the cooperation of you and your staff concerning this matter.

Sincerely,



Daniel Yasui
Vice President

cc: Mr. Danny Dias, Maui Planning Department ✓
Munekiyo & Hiraga



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF SCHOOL FACILITIES AND SUPPORT SERVICES

COUNTY OF MAUI
DEPT. OF PLANNING - CURRENT

AUG - 7 2015
RECEIVED

August 4, 2015

Mr. Danny D. Dias
Staff Planner, Department of Planning
County of Maui
250 South High Street
Wailuku, Hawaii 96793

Re: Application for Community Plan Amendment, Change in Zoning, and Project District Development (Phase I) for Waiale Project District South
CPA 2015/0001, CIZ 2015/0001, and PHI 2015/0001

Dear Mr. Dias:

The Department of Education (DOE) would like to follow up on the letter we sent to you on April 17, 2015 concerning the applications before the County of Maui for the Waiale Project District South.

The DOE has come to an agreement with A&B Properties, Inc. (A&B) for an Educational Contribution Agreement (ECA) for the Waiale project. The agreement has been reviewed by our Deputy Attorney General and will be sent to the Superintendent for signature in the next few days. The ECA addresses, to DOE's satisfaction, most of the concerns listed in our April 17, 2015 letter.

The DOE appreciates the ability to comment on the A&B applications. We are available to discuss these issues with you as the review process continues. If you have any questions, please call Heidi Meeker of the Facilities Development Branch at (808) 377-8301.

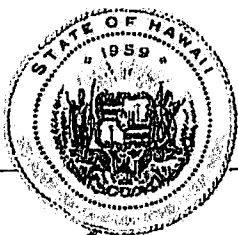
Respectfully,

A handwritten signature in black ink, appearing to read "Kenneth G. Masden II".

Kenneth G. Masden II
Public Works Manager

KGM:jmb

c: Alvin Shima, Complex Area Superintendent, Baldwin/Kekaulike/Maui Complex Areas
William R. Spence, Director, Department of Planning, County of Maui



OFFICE OF PLANNING STATE OF HAWAII

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
ACTING DIRECTOR
OFFICE OF PLANNING

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <http://planning.hawaii.gov/>

15-2085
Ref. No. P-14724

April 24, 2015

COUNTY OF MAUI
DEPT. OF PLANNING - CURRENT

APR 28 2015

RECEIVED

Mr. William R. Spence, Director
Department of Planning
County of Maui
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

Attention: Mr. Danny Dias

Dear Mr. Spence:

Subject: Application for a Zone Change
Waiale Project District South, Wailuku-Kahului, Maui
Tax Map Key: (2) 3-8-005:037 and portion of 040

I thank you for the opportunity to review the subject Application for Zone Change.

This application for the Waiale Project District South is a portion of the larger Waiale Community Project, the latter consisting of approximately 545 acres and 2,250 residential units along with commercial light industrial, park and school uses. The Waiale Community Project was reclassified by the State Land Use Commission (LUC) from the State Agricultural District to the Urban District in Docket No. A10-789 A&B Properties, Inc. on June 21, 2012.

The Office of Planning's (OP) review is focused on the consistency of the subject Zone Change Application with the Findings of Fact, Conclusions of Law, and Decision and Order in Docket No. A10-789 dated June 21, 2012 (included as Exhibit D in the Zone Change Application).

1. Development Schedule. The Applicant is proposing to pursue the development of only the south portion of the lands urbanized for development at this time – approximately 123 acres of the 545 acres reclassified to the Urban District. There is no indication as to when the remaining North area will be developed. This timetable is important for the anticipated support infrastructure needs of the public uses planned at the North end of the Project, including the Central Maui Sports Complex, the middle school, and the County's affordable housing development. During LUC proceedings, it was represented that the "Project is expected to be substantially completed within ten years from Commission

Exhibit "31"

approval" (Findings of Fact No. 45). Furthermore, LUC Condition No. 20 sets an infrastructure deadline for the entire development:

"Petitioner shall complete construction of the proposed backbone infrastructure, which consists of the primary roadways and access points, internal roadways, on-and off-site water and electrical system improvements, and storm water/drainage and other utility system improvements, within ten years from the date of the Decision and Order approving the Petition."

In view of uncertain project schedule, OP recommends that the Applicant be required to submit a development timetable for the remaining phases of the entire Waiale Community Project prior to approval of this Zone Change application.

2. Highway and Road Improvements. LUC Condition No. 5 requires that the Petitioner submit to the State Department of Transportation (DOT) prior to zone change application an updated Traffic Impact Analysis Report (TIAR). An updated TIAR dated January 20, 2015 was prepared and submitted, but it covered only the 123-acre Waiale South project area. The Condition's reference is to the initial TIAR of March 2011 which covered the entire 545-acre project, including a projected build-out by 2022. As such, the updated TIAR should have been for the entire Waiale project. LUC Findings of Fact No. 143 cites that the revised TIAR should address the concerns expressed by the DOT in testimony and in DOT's letter of September 2, 2011 (attached). Item 20 of the DOT September 2011 letter states that the TIAR of March 2011 is not acceptable to DOT and outlines the needed revisions in reference to the entire Waiale project and anticipated connections to Kuihelani Highway. Addressing the entire project is necessary as a precedent to the execution of a Memorandum of Agreement with DOT which is required prior to final subdivision approval.

The submitted TIAR does not address LUC Condition No. 5 which required an updated TIAR covering the entire Waiale Community project area. Accordingly, the Applicant should be required to provide this updated TIAR as soon as possible prior to zone change approval.

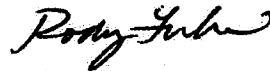
3. Public School Facilities. LUC Condition No. 18 requires the Petitioner to execute an Education Contribution Agreement with the Department of Education (DOE) prior to zone change approval specifying the fair share contribution for the development, funding, and/or construction of school facilities. The 2014 annual report submitted by the Petitioner on August 29, 2014 indicates the Petitioner has not yet met this condition. The annual report notes that the Petitioner is in consultation with the DOE to provide land for

Mr. William R. Spence, Director
April 24, 2015
Page 3

a new middle school within Waiale, and that this land contribution would be in partial fulfillment of Petitioner's fair share contribution. Accordingly, the Applicant should be required to execute an Education Contribution Agreement with DOE prior to zone change approval.

We appreciate this opportunity to provide our comments. If you have any questions regarding this matter, please contact Katie Mineo of our Land Use Division at (808) 587-3883.

Sincerely,



Leo Leo R. Asuncion
Acting Director

Attachment



MUNEKIYO HIRAGA

Planning, Project Management, Sustainable Solutions

Michio T. Munekiyo
PRESIDENT

Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

Mitsuru "Mich" Hirano
SENIOR ADVISOR

August 5, 2015

Leo R. Asuncion, Acting Director
Office of Planning
State of Hawaii
P.O. Box 2359
Honolulu, Hawaii 96804

SUBJECT: Wai'ale Project District South (CPA 2015/0001, CIZ 2015/0001,
PH1 2015/0001)

Dear Mr. Asuncion:

Thank you for your letter dated April 16, 2015 in response to the Planning Department's request for comments on the Wai'ale Project District South Community Plan Amendment, Change in Zoning, and Project District Phase I applications. On behalf of A&B Properties, Inc. (Applicant), we offer the following responses to your comments in the order of your comments:

1. Development Schedule

The Applicant is aware of LUC Findings of Fact No. 45 and Applicant's obligation to substantially comply with representations to the LUC and that reclassification of the Wai'ale Community from State Land Use "Agricultural" District to "Urban" District is subject to all 27 Conditions of the Decision and Order (D&O), including Condition No. 20.

The development timeframe for the Wai'ale lands north of Waiko Road (Wai'ale North) will in part be determined by the planning for lands slated for public use within Wai'ale North. This will allow the Applicant to incorporate those plans and other factors into the design of the Wai'ale North community, ensuring that development is in consonance with and complementary to these adjacent land uses. Specific plans for these areas are not in the direct control of the Applicant and have yet to be determined. Given these circumstances, the Applicant has focused its planning efforts on Wai'ale South. The decision to move ahead with

Maui: 305 High Street, Suite 104 • Wailuku, Hawaii 96793 • Tel: 808.244.2015 • Fax: 808.244.8729

Oahu: 735 Bishop Street, Suite 321 • Honolulu, Hawaii 96813 • Tel: 808.983.1233

www.munekiyo-hiraga.com

the County entitlement process for Wai'ale South was spurred by the development time limits that have been imposed on the Project. As the County entitlement process can prove lengthy, the decision was made to move ahead with entitlements for the area which the Applicant was confident that sufficient planning had been undertaken and over which it has control. The alternative of waiting would potentially jeopardize the Applicant's ability to comply with the development time limits imposed on the Project.

2. Highway and Road Improvements

The Applicant is aware of D&O Condition No. 5, "*Highway and Road Improvements*". In response to OP's comment that, "The submitted TIAR does not address LUC Condition No. 5 which required an updated TIAR covering the entire Wai'ale Community project area," we would like to clarify that while Condition No. 5 does state, "*Petitioner shall submit to the DOT prior to application for a zone change an updated TIAR*", it does not specify an updated TIAR covering the entire Wai'ale Community Project area. Rather, it includes the following language regarding requirements and timing:

Highway and Road Improvements. *Petitioner shall fund, construct, and implement all transportation improvements and measure required to mitigate impacts to state roadway facilities caused by the Project as set forth in an MOA agreed to and executed between the DOT and Petition. Petitioner shall submit to the DOT prior to application for a zone change an updated TIAR. Petitioner shall obtain acceptance of the Project's TIAR from DOT and shall execute the MOA prior to final subdivision approval of the initial phase of onsite development by Petitioner.*

The MOA shall include, but not be limited to, the following terms and conditions: (i) the accepted TIAR shall be incorporated in the MOA by reference; (ii) Petitioner's responsibilities for funding, construction, and implementation of improvements and mitigation; (iii) a schedule of agreed to improvements and a schedule for future TIAR updates or revisions to be accepted by DOT; (iv) development of the Project shall be consistent with the executed MOA and TIAR; and (v) any fees or in-kind contribution that is roughly proportional to any indirect or secondary impacts caused by the Project.

The condition specifies that a schedule of TIAR updates should be included in the MOA, which shall be executed prior to final subdivision approval. This suggests an expectation that traffic requirements will evolve as planning and

development for the future Wai'ale Community progresses. Furthermore, please note that the land use entitlements requested are limited to Community Plan Amendment, Change in Zoning, and Project District Phase I. The Applicant will apply for subdivision separately at the appropriate time.

Additionally, your letter references LUC Findings of Fact No. 143, which states:

The DOT recommends that Petitioner submit a revised TIAR for DOT review and obtain acceptance from DOT prior to approval of a change of zone from the County of Maui. The revised TIAR should address the concerns expressed by the DOT in testimony and in DOT's letter (STP 8.0522 dated September 2, 2011). The TIAR should provide and validate all recommended mitigation measures for potential Project-related traffic impacts on State facilities to the satisfaction of the DOT.

Your letter further references Item No. 20 of the same DOT letter (STP 8.0522 dated September 2, 2011), which states that the TIAR of March 2011 is not acceptable and outlines the needed revisions in sub-bullets "a"- "f". Please note that sub-bullet "f" states:

The revision of the TIAR shall include a project Phasing Plan of the development, but a traffic impact analysis of each phase will not be required until prior to a phase. The revised TIAR must be updated and approved by DOT prior to the commencement of construction of each respective phase of the development...

Therefore, based on this DOT letter (STP 8.0522) dated September 2, 2011 referenced in LUC findings of Fact No. 143 and the language in LUC Condition No. 5 above, we believe that the phasing of the Wai'ale development is in accordance with the above statement from DOT's letter. Additionally, the phasing of the Wai'ale South and North Projects will yield more accurate results for the North area, since a future TIAR will utilize current traffic data at the time of the study.

In this regard, the updated TIAR was submitted for the Wai'ale South Project area prior to the request for Change in Zoning for this phase. Also, as noted earlier, specific plans for all lands within the Wai'ale North area have yet to be determined and are not in the direct control of the Applicant. Inasmuch as build-out for Wai'ale North is not assumed to be completed within the time horizon of the current TIAR, a separate TIAR will be prepared for the Wai'ale North Project prior to application for change in zoning for that portion of the Project.

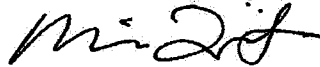
Leo R. Asuncion, Acting Director
August 5, 2015
Page 4

3. **Public School Facilities**

The Applicant is aware of Condition No. 18, Public School Facilities and has been involved in ongoing discussions with the Department of Education (DOE) for several years regarding a planned middle school facility within Wai'ale North. The Applicant is in the process of working with DOE to finalize an Educational Contribution Agreement.

We appreciate your timely review and comments on the proposed Project. Should you have any questions, please contact me at (808) 244-2015.

Very truly yours,



Marisa Fujimoto
Senior Associate

MF:tn

Cc: Daniel Yasui, A&B Properties, Inc.
Danny Dias, Department of Planning
Adrienne Wong, Austin Tsutsumi & Associates, Inc.

K:\DATA\A&B\Wai'ale PD Phase II Response Letters\Office of Planning Response.doc

Danny Dias - FW: OP Comments on Waiale South Change in Zoning Application

From: Marisa Fujimoto <marisa@munekiyohiraga.com>
To: Danny Dias <Danny.Dias@co.maui.hi.us>
Date: 11/3/2015 11:47 AM
Subject: FW: OP Comments on Waiale South Change in Zoning Application

From: Mineo, Kathryn S [<mailto:kathryn.s.mineo@hawaii.gov>]
Sent: Wednesday, October 07, 2015 11:16 AM
To: Marisa Fujimoto
Cc: Funakoshi, Rodney Y
Subject: RE: OP Comments on Waiale South Change in Zoning Application

Hi Marisa,

I spoke with DOT this morning and they informed me that they will be sending you their comment letter this Friday. As such, OP decided that it is no longer necessary for us to send you an acknowledgment letter, as their letter will address our concerns with regard to highway and road improvements for the subject project.

Please let me know if you have any questions.

Thanks,
Katie

Katie Mineo
Planner
Land Use Division
State of Hawaii Office of Planning
P.O. Box 2359
Honolulu, HI 96804
Phone: (808) 587-2883
kathryn.s.mineo@hawaii.gov

DAVID Y. IGE
Governor

SHAN S. TSUTSUI
Lt. Governor



State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

SCOTT E. ENRIGHT
Chairperson, Board of Agriculture

PHYLLIS SHIMABUKURO-GEISER
Deputy to the Chairperson

May 20, 2015

Mr. William Spence, Director
County of Maui Department of Planning
One Main Plaza Building
2200 Main Street, Suite 315
Wailuku, HI 96793

15 JUN -2 A 7:50
DEPT OF PLANNING
CURRENT DIV RECEIVED

Attn: Danny D. Dias

Dear Mr. Spence:

Subject: Application for Community Plan Amendment (CPA), Change in Zone (CIZ), and Project District Development (Phase I) Approval for Wai'ale Project District South
A&B Properties
TMK: (2) 3-8-005:037 and 040(por.)
Area: 123 acres, first phase of 545 acres

This is in response to your March 20, 2015 letter informing us of A&B Properties' (the Applicant) applications for CPA, CIZ and Project District Development approval for Phase 1 of their master planned residential community in Kahului Maui.

Background:

Project District South is a 123-acre property located in the southwest corner of the East Waiko Road and Kuihelani Highway intersection and is a part of a larger 545-acre master planned community in Kahului called Waiale. The Applicant plans to develop Waiale in two Phases, with the development of Project District South as Phase 1. The Applicant plans develop the remaining portion of Waiale, north of East Waiko Road at a later date in Phase 2.

The entire 545-acre project area was reclassified from the State Agricultural District to the Urban District in 2012 by the Land Use Commission (LUC). The 545-acre project area is zoned as "Agricultural" by Maui County, and is within the urban growth boundary according to the Maui Island Plan (MIP). The Wailuku-Kahului Community Plan (2002) designates the project area as "Agriculture." A Final Environmental Impact Statement

Exhibit "32"

was also submitted for the entire 545-acre project area and was accepted by the LUC in 2011.

Existing uses in Project District South include a ten-acre orchid farm, fallowed sugar cane, and vacant land. According to the Land Study Bureau's Detailed Land Classification (LSB) for the Island of Maui, Project District South is rated "E." With irrigation, the land in Project District South would improve to "C." According to the Agricultural Lands of Importance to the State of Hawaii (ALISH), Project District South is classified as "Other Important" agricultural lands.

Surrounding uses to the north of the Waiale project include the Maui Lani community. To the south are Waikapu Stream and sugar cane fields. To the west are light industrial uses including the Wailuku Agribusiness Company and the Maui Scrap Metal Company. To the east are Kuihelani Highway and sugar cane fields.

Proposed Project:

Project District South is planned to have approximately 950, single-family and multi-family houses, including a village mixed-use area, parks and open space, and bikeways.

Development of Project District South will require: (1) an amendment to the Wailuku-Kahului Community Plan from "Agriculture" to "Project District"; (2) a Change in Zoning from "Agricultural" to "Project District"; and (3), the approval of Project District Phase 1. The Applicant plans to obtain county land use entitlements for Phase 2 of Waiale at a later date.

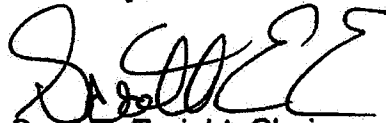
Comments:

- Pursuant to Section 205-3.5(a), Hawaii Revised Statutes (HRS), and the LUC Decision and Order Docket No: A10-789, the approval of a boundary amendment where lands in the petition area are contiguous or adjacent to lands in the Agricultural District shall include the following conditions in the decision granting approval:
 1. A prohibition on any action that would interfere with or restrain farming operations, provided that the farming operations follow generally accepted agricultural and management practices; and
 2. Notification of all prospective developers or purchasers of land or interest in the petition area, and provide or require subsequent notice to lessees or tenants of the land, that farming operations and practices that may include potential nuisances from noise, odors, dust, fumes, spray, smoke, or vibration on adjacent or contiguous land in the State Agricultural District are protected under HRS Chapter 165, the Hawaii Right to Farm Act. The notice shall be included in any disclosure required for the sale or transfer of real property or any interest in real property.

- In the Waiale Final Environmental Impact Statement (FEIS), it stated that the existing orchid farm south of Waiko Road and the pasture operations and cattle feed lot north of Waiko Road will be relocated within the property and/or eventually relocated off-site (FEIS, Section 9.3.4, page 124). The FEIS also stated that the Applicant will work with these tenants to seek alternative sites for relocation (FEIS, Section 3.34, page 45). The Department of Agriculture acknowledges and supports the Applicant's offer of relocation assistance.

Thank you for the opportunity to provide our comments. Should you have any questions, please contact Earl Yamamoto at 973-9466 or by email at earl.j.yamamoto@hawaii.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott E. Enright", written over a horizontal line.

Scott E. Enright, Chairperson
Board of Agriculture

c: Office of Planning



MUNEKIYO HIRAGA

Planning Project Management Sustainable Solutions

Michael T. Munekiyo
PRESIDENT

Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

Mitsuru "Mich" Hirano
SENIOR ADVISOR

August 5, 2015

Scott E. Enright, Chairperson
Department of Agriculture
1428 South King Street
Honolulu, Hawaii 96814

SUBJECT: Wai'ale Project District South (CPA 2015/0001, CIZ 2015/0001,
PH1 2015/0001)

Dear Mr. Enright:

Thank you for your letter dated May 20, 2015 in response to the Planning Department's request for comments on the Wai'ale Project District South Community Plan Amendment, Change in Zoning, and Project District Phase I applications. On behalf of the Applicant, A&B Properties, Inc., we offer the following responses to your comments in the order of your comments:

1. The Applicant will comply with Condition No. 19 of the LUC Decision and Order Docket No. A10-789, which states the following:

19. **Compliance with HRS Section 205-3.5, Related to Agricultural Uses on Adjacent Agricultural Land.** *For all land in the Petition Area or any portion thereof that is adjacent to land in the State Land Use Agricultural District, Petitioner shall comply with the following:*


- A. *Petitioner and its successors and assigns shall not take any action that would interfere with or restrain farming operations conducted in a manner consistent with generally accepted agricultural and management practices on adjacent or contiguous lands in the State Land Use Agricultural District. For the purpose of these conditions, "farming operations" shall have the same meaning as provided in HRS section 165-2; and*

- B. *Petitioner shall notify all prospective developers or purchasers of land or interest in land in the Petition Area, and provide or require subsequent notice to lessees or tenants of the land, that farming operations and practices on adjacent or contiguous land in the State Land Use Agricultural District are protected under HRS chapter 165, the Hawaii Right to Farm Act. The notice shall disclose to all prospective buyers, tenants, or lessees of the Petition Area that potential nuisances from noise, odors, dust, fumes, spray, smoke, or vibration may result from agricultural uses on adjacent lands. The notice shall be included in any disclosure required for the sale or transfer of real property or any interest in real property.*

2. The Applicant was recently informed that the orchid farm in the Wai'ale South Project area (south of Waiko Road) ceased operations. As stated in the Wai'ale Final Environmental Impact Statement, the Applicant will work with the other agricultural tenants in Wai'ale North (north of Waiko Road) to seek alternative sites for relocation.

We appreciate your timely review and comments on the proposed Project. Should you have any questions, please contact me at 244-2015.

Very truly yours,



Marisa Fujimoto
Senior Associate

MF:tn

Cc: Daniel Yasui, A&B Properties, Inc.
Danny Dias, Department of Planning

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DAVID Y. IGE
GOVERNOR OF HAWAII




JESSICA E. WOOLEY
DIRECTOR

STATE OF HAWAII
OFFICE OF ENVIRONMENTAL QUALITY CONTROL
Department of Health
235 South Beretania Street, Suite 702
Honolulu, Hawaii 96813
Telephone (808) 586-4185
Facsimile (808) 586-4186
Email: oeqc@hawaii@doh.hawaii.gov

COUNTY OF MAUI
DEPT OF PLANNING
CURRENT DIV-RECEIVED
15 JUN 22 P12 :09

June 19, 2015

TO: Danny D. Dias, Staff Planner
Maui County Department of Planning

FROM: Herman Tuiolosega, Senior Planner 

SUBJECT: Comments and Recommendations for the Wai'ale Project District South, A & B Properties, Inc.

Aloha. The Office of Environmental Quality Control received your May 28, 2015 follow-up request to a March 20, 2015 transmittal for OEQC comments and recommendations regarding the A & B Properties, Inc. project in Wai'ale, Wailuku District, Maui.

Your original transmittal requested that we identify mitigation measures from the Wai'ale Final Environmental Impact Statement document to propose as conditions of the project approval. The transmittal also included a box for comments and recommendations.

After review of the 2011 Wai'ale FEIS, OEQC recommends that every relevant mitigation identified in the FEIS or a better alternative should be a condition for the Wai'ale Project.

Please feel free to call our office at (808) 586-4185 if you have further questions.

Thank you.

Exhibit "33"



MUNEKIYO HIRAGA

Planning, Project Management, Sustainable Solutions

Michael T. Munekiyo
PRESIDENT

Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

Mitsuru "Mich" Hirano
SENIOR ADVISOR

August 5, 2015

Herman Tuiolosega, Senior Planner
State of Hawaii
Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, Hawaii 96813

SUBJECT: Waiale Project District South (CPA 2015/0001, CIZ 2015/0001,
PH1 2015/0001)

Dear Mr. Tuiolosega:

Thank you for your letter dated June 19, 2015 in response to the Planning Department's request for comments on the Waiale Project District South Community Plan Amendment, Change in Zoning, and Project District Phase I applications.

On behalf of the Applicant, A&B Properties, Inc., we acknowledge your recommendation that relevant mitigation measures identified in the Waiale Final Environmental Impact Statement or a better alternative should be a condition for the Project. The Applicant will continue to work with State and County agencies to identify the most appropriate mitigation measures for the Project.

Herman Tuiolesega, Senior Planner
August 5, 2015
Page 2

We appreciate your timely review and comments on the proposed Project. Should you have any questions, please contact me at (808) 244-2015.

Very truly yours,

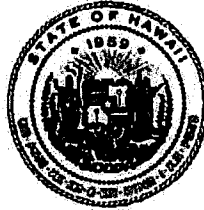


Marisa Fujimoto
Senior Associate

MF:tn

Cc: Danny Dias, Department of Planning
Daniel Yasui, A&B Properties, Inc.

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**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
DIVISION AND OCEAN RECREATION
BUREAU OF CONSERVATION
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES INFORMATION
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAIKULANI ISLAND RESERVE COMMISSION
LAND
STATE PARKS

September 28, 2015

Danny Dias, Staff Planner
County of Maui Department of Planning
Via email to: danny.dias@mauicounty.gov

LOG NO: 2015.01192
DOC NO: 1509JP11
Archaeology

Aloha Mr. Dias,

**SUBJECT: Chapter 6E-42 Historic Preservation Review –
Wai'ale Project District South CPA 2015/0001, CIZ 2015/0001, and PH1 2015/0001
Wailuku/Waikapū Ahupua'a, Wailuku District, Island of Maui
TMK (2) 3-8-005:037 and 040 por.**

Thank you for the opportunity to review the submittal received by our office on March 27, 2015. Proposed plans include a master planned residential community with single and multi-family homes, village mixed use area, parks and open space, landscaped entries and collector roads, and related improvements. We understand the proposed work involves 50 acres provided to the County of Maui; 40 acres for affordable housing; seven acres for a Community Center; and three acres for a neighborhood park.

The subject area is located in Aeolian and alluvial sand deposits, which are known to contain human burial features. Reconnaissance level archaeological research has occurred for portions of the subject area and an archaeological inventory survey report occurred for some portions. We believe additional archaeological inventory survey work is necessary in order to determine any potential effects the proposed project will have on historic properties. At this time, archaeological mitigation has not been presented and agreed upon for the burial preservation sites, the plantation ditch features, potential World War II features, as well as the historic orchid and POG juice farms. At this time, we do not have enough information to determine any potential effects the proposed project may have on historic properties.

The submittal indicates an archaeological inventory survey was conducted by Scientific Consultant Services (SCS) for the proposed project. We note the TMK numbers and parcels do not correlate. In addition, the submitted archaeological inventory report states:

...several actions should be taken to mitigate the current status of the section of the Spreckels Ditch (Site -1508) located in the project area and *in situ* human burial (Site -5504) located near Kuihelani Highway. The Spreckels Ditch is listed on the State of Hawai'i's preservation list and it is currently in use. A Preservation Plan for this portion of the ditch will be submitted to the SHPD for review. Per Site -5504, two steps are proposed. First, a predetermined area of the sand berm in which exposed, displaced human remains alerted the presence of a traditional human burial site (Site -5504), should be screened for recovery of any other displaced [osseous] remains. Second, a Burial Treatment Plan will be prepared for Site -5504 and submitted to the SHPD for review.

The SCS report further states several archaeological studies were conducted within portions of the project area such as Moore and Kennedy (1998). Traditional Hawaiian archaeological sites comprised of human burials and a surface structure were listed as State Inventory of Historic Places (SIHP) 50-50-04-4200 containing at least four human burials and associated artifacts; SIHP 4201 (at least one human burial), and SIHP 4202 (a tiered terrace constructed of water worn basalt rocks). Permanent preservation was recommended for the sites located within the proposed project area. Preservation and mitigation plans still need to be completed for the findings listed in the 1998 archaeological report. In addition, separate archaeological projects occurred within TMK: (2) 3-8-07: 101 (por.) conducted by Archaeological Services Hawaii (ASH). We have not received the required reports and plans from the archaeological monitoring, data recovery, and work conducted by ASH within the proposed project area.

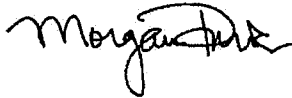
Exhibit "34"

Archaeological and cultural issues regarding significant findings in the subject area have not been adequately addressed or resolved. Archaeological compliance needs to be completed, in order to address mitigation measures to avoid or minimize impacts to significant cultural sites, including burials. Unfortunately, we have not received archaeological reports for the previously grubbed, mined, and graded portions of the subject area. In order to determine any potential effects to significant sites, we need updated documentation for the subject area, and immediately adjacent areas.

Please note the information contained within the submitted SCS report states *as the sites occur within another archaeological contractor's project area, it was determined by SCS that the responsibility...fell under the jurisdiction of ASH*. Therefore, documentation and proposed mitigation measures have not been addressed for significant human burial features. We strongly request the completion and submittal of an archaeological report documenting all of the prior findings within the ASH subject area, to date. Please provide this necessary documentation as soon as possible.

In summary, we **request additional information** regarding potential historic properties within the subject area, and strongly recommend an updated, project-specific, and comprehensive **archaeological inventory survey** in order to assess the potential effect the proposed project may have on historic properties. Please contact Jenny Pickett at (808) 243-5169 or Jenny.L.Pickett@Hawaii.gov if you have any questions or concerns about this letter.

Mahalo,



Morgan E. Davis
Lead Archaeologist, Maui Section

cc:	County of Maui Department of Planning Planning@co.maui.hi.us	County of Maui Department of Public Works – DSA Renee.Segundo@co.maui.hi.us	County of Maui Cultural Resources Commission Annalise.Kehler@co.maui.hi.us
	Mr. Grant Chun, Vice President A&B Properties, Inc. P.O. Box 156 Kahului, Hawaii 96732	Mr. Vincent Shigekuni, Vice President PBR Hawaii & Associates, Inc. 1001 Bishop Street ASB Tower, Suite 650 Honolulu, Hawaii 96813	Mr. Dan Davidson, Executive Officer State Land Use Commission P.O. Box 2359 Honolulu, Hawaii 96804



MUNEKIYO HIRAGA

Planning, Project Management, Sustainable Solutions.

Michael T. Munekiyo
PRESIDENT

Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

November 4, 2015

Morgan Davis, Lead Archaeologist, Maui Section
Department of Land and Natural Resources
State Historic Preservation Division
Kakuhihewa Building
601 Kamokila Blvd., Suite 555
Kapolei, Hawaii 96707

SUBJECT: Wai'ale Project District South (CPA 2015/0001, CIZ 2015/0001,
PH1 2015/0001); TMK: (2) 3-8-005:037 and 040 (por.)

Dear Ms. Davis:

At the request of Ms. Jenny Pickett, a site visit of the Wai'ale Project District South (Project) area occurred on October 22, 2015. Participants included Jenny Pickett on behalf of the State Historic Preservation Division (SHPD), Grant Chun on behalf of A&B Properties, Inc. (A&B), and Michael Munekiyo and Marisa Fujimoto on behalf of Munekiyo Hiraga. The purpose of the site visit was to clarify the subject Project area and determine whether SHPD had any concerns moving forward with the Maui Planning Commission hearing on the subject applications scheduled for November 24, 2015.

During the site visit, the location and boundaries of the approximately 122.6 acre Project area were identified and discussed, along with the results of the 2010 Archaeological Inventory Survey (AIS) completed by Scientific Consultant Services, which did not identify any historic sites within the Project area. It was noted that previous archaeological reports identified burials in the Wai'ale North area, which is not included in the subject Project. It was further noted that Wai'ale North is on a separate development schedule from Wai'ale South, and A&B will pursue land use entitlements for Wai'ale North separately at a later time. However, A&B will work with SHPD to ensure proper treatment of the burials in the Wai'ale North area prior to the processing of land use entitlements for Wai'ale North.

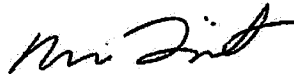
Morgan Davis, Lead Archaeologist, Maui Section
November 4, 2015
Page 2

Based on her visual observations of the Wai'ale Project District South area and information reviewed at the site visit, Ms. Pickett acknowledged that SHPD would be comfortable with the Project moving forward with the Planning Commission hearing provided that a separate Archaeological Monitoring Plan (AMP) is prepared for Wai'ale South, including an appropriate schedule for monitoring reports. She confirmed this by email dated November 3, 2015 and further noted that archaeological monitoring and the preparation of the resulting monitoring reports must be completed by a permitted archaeological consulting firm.

As requested, A&B will have an AMP prepared for the Wai'ale South project, which will address the provision of subsequent monitoring reports based on the construction phasing undertaken at the site and will include status updates of monitoring work for the Wai'ale South Project. All archaeological monitoring and monitoring reports will be done by a permitted archaeological consulting firm.

We appreciate SHPD's review and support of the proposed Project. Should you have any questions, please contact me at (808) 244-2015.

Sincerely,



Marisa Fujimoto
Senior Associate

MF:tn

Enclosure

cc: Daniel Yasui, A&B Properties, Inc.
Grant Chun, A&B Properties, Inc.
Danny Dias, Department of Planning
Clayton Yoshida, Department of Planning

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STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

2015 OCT 14 PM 05
COUNTY OF MAUI
DEPT. OF PLANNING
ADMINISTRATION

FORD N. FUCHIGAMI
DIRECTOR

DEPUTY DIRECTORS
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

IN REPLY REFER TO
HWY-PS 2.0735

October 8, 2015

Mr. William R. Spence, Director
County of Maui
Department of Planning
2200 Main Street, Suite 315
One Main Plaza Building
Wailuku, Hawaii 96793

Dear Mr. Spence:

Subject: Waiale Project District South
County Zone Change Application
Wailuku, Maui TMK: (2) 3-8-005: 037 and 040 (por)

The Department of Transportation (HDOT) offers the following comments regarding Munekiyo and Hiraga's August 5, 2015, response to a State Office of Planning (OP) letter dated April 24, 2015, on the Waiale Project District South application for a change in zoning. The HDOT concurs with OP's comment that the submitted Traffic Impact Analysis Report (TIAR) of January 20, 2015, does not address Land Use Commission (Docket No. A10-789) Condition No. 5, which is stated as follows:

5. "Petitioner shall fund, construct, and implement all transportation improvements and measures required to mitigate impacts to state roadway facilities caused by the Project as set forth in an MOA agreed to and executed between the DOT and Petitioner. Petitioner shall submit to the DOT prior to application for a zone change an updated TIAR. Petitioner shall obtain acceptance of the Project's TIAR from DOT and shall execute the MOA prior to final subdivision approval of the initial phase of on-site development by Petitioner. The MOA shall include, but not limited to, the following terms and conditions: (1) the accepted TIAR shall be incorporated in the MOA by reference....."

Given the HDOT's concern for and policy to evaluate the anticipated local and regional impacts of the project, it is necessary that the TIAR analyzes the full project build-out and its cumulative impacts on State transportation facilities. Based on the same methodology applied to the review of the Draft Environmental Impact Study (North and South development), our letter dated September 2, 2011 (STP 8.0522), provided many consistent comments (i.e., nos. 18, 19 and 20) explaining that various parts of the analysis should be revised to include the build out year 2022. Within the comments, the repeated references made to the build out year 2022 in our letter are evident that it has always been the HDOT's intention to review a TIAR for mitigations and cumulative impacts identified by the completed project phases of the entire project.

Exhibit "35"

Other concerns are that the HDOT comments have not been fully responded to regarding the TIAR in the attached letters dated September 2, 2011 (STP 8.0522) and July 21, 2011 (STP 8.0494).

The HDOT is agreeable with the zone change as long as the TIAR assesses the entire petition area, and the revision to the TIAR addresses HDOT's primary comments identified in the letters provided. Further, HDOT understands that the "Petitioner shall obtain acceptance of the Project's TIAR from DOT and shall execute the MOA prior to final subdivision approval of the initial phase of on-site development by Petitioner", as provided in Condition No. 5 above.

The HDOT appreciates the opportunity to provide comments. If there are any questions, please contact Ken Tatsuguchi, Engineering Program Manager, Highways Planning Branch at, (808) 587-1830. Please reference file review number 2015-062 in all contacts and correspondence regarding these comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'FORD N. FUCHIGAMI', with a horizontal line extending to the right.

FORD N. FUCHIGAMI
Director of Transportation

Attachments

c: Luis P. Salaveria, Director, DBEDT
Leo Asuncion, Acting Director, Office of Planning



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-6097

GLENN M. OKIMOTO
DIRECTOR

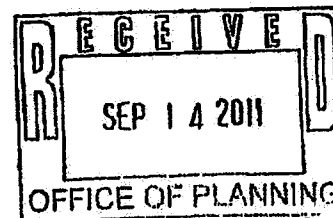
Deputy Directors
JADE T. DUTAY
FORD N. FUCHIGAMI
RANDY OKUNE
JADINE URASAKI

IN REPLY REFER TO:

STP 8.0522

September 2, 2011

Mr. Grant Chun
A&B Properties, Inc.
P.O. Box 156
Kahului, Hawaii 96732



ORIGINAL

Dear Mr. Chun:

Subject: Waiale – Draft Environmental Impact Statement (DEIS)

The State Department of Transportation (DOT) previously commented on the subject project in its letter STP 8.0494 dated July 21, 2011 (attached), and now offers the following supplemental comments. DOT continues to have concerns about the impacts on State transportation facilities by and from the project.

1. While the Waiale project is not currently within the County of Maui's urban growth area, DOT understands the County's draft Maui Island plan proposes to expand the urban growth boundary to include the subject project. DOT also understands that a request to change the land use classification of the project area from Agricultural to Urban has been filed with the State Land Use Commission. As such, the future of this project is dependent upon the approvals of the State and County.
2. The Waiale project is located between two principal arterials under State DOT jurisdiction, Kuihelani Highway and Honoapiilani Highway. It is anticipated the subject project will have a greater impact on Kuihelani Highway. Arterials are intended for safe, efficient and fast transportation between regions. Federal guidelines for preserving functional classification include limiting the number of access points, maximizing the space between intersections, using cross intersections instead of tee intersections, and limiting intersection to collector roads and other arterials. The Waiale project should follow those federal guidelines.
3. Federal Highway Administration (FHWA) guidelines recommend different distances between intersections for different land uses. However, due to the mixture of land uses (urban & agricultural) along this portion of the highway, DOT will require that rural minimum spacing of one-half mile between intersections be used along the subject project border with Kuihelani Highway.

4. The distances along Kuihelani Highway between the intersection with Maui Lani Parkway and the proposed Road C and between the intersection with proposed Road C and East Waiko Road meet the FHWA rural guideline.

However, the proposed location of the Road E/Kuihelani Highway intersection which is only 750 feet from the East Waiko Road /Kuihelani Highway intersection does not meet federal guidelines and will not be permitted.

Furthermore, there is an existing agriculture tractor crossing at this Road E/Kuihelani Highway intersection that has a two-phase traffic signal. With the proposed land use changes of the subject project, DOT understands that the tractor crossing will no longer be needed. The applicant will need to submit a written request to the DOT Highways Division, Right-of-Way Branch to extinguish the agricultural access crossing, and upon notification by DOT, properly remove the traffic signal and associated signing and stripping at no cost to the State.

5. DOT will consider a request for a southern access to Kuihelani Highway if it is at least one half of a mile south of East Waiko Road. A written request for such access and the proposed northern access at Road C should be submitted to the DOT Highways, Right-of-Way Branch. Access restrictions will be imposed along the remainder of the project frontage with Kuihelani Highway. The applicant should be aware that monetary consideration for access may be assessed.
6. The mix and adjacencies of light industrial, commercial and residential uses and their traffic on East Waiko Road and at the Kuihelani Highway intersection raises traffic safety concerns that should be further addressed in the DEIS and Traffic Impact Analysis Report (TIAR).
7. The DEIS and TIAR should further discuss how the interior project roads will provide indirect access from Kuihelani Highway to the various existing properties located adjacent to and on the north side of East Waiko Road, including a cattle feed lot on parcel TMK: (2) 3-8-007:102 adjacent to Kuihelani Highway. Upon the completion of the interior project roads, the cattle feed lot will not be permitted direct access to Kuihelani Highway.
8. The distance between the Road B/Road E intersection and Kuihelani Highway, appears to be less than 1,200 feet. Such distance is not desired and may cause traffic queuing onto Kuihelani Highway. A queue analysis including mitigation measures should be prepared and included in the TIAR if the distance is less than 1,200 feet.
9. The Conceptual Community Master Plan (Figure O-1) shows approximately 22 total acres of park along Waikapu Stream and about 8.5 total acres of greenway and open space adjacent to Kuihelani Highway. The DEIS should clarify whether the 100-foot setback along Kuihelani Highway is intended to be under State or County jurisdiction or if it will be maintained by the applicant.

10. The Conceptual Community Master Plan (Figure O-1) and Proposed Roadway (Figure 4-2) need clarification and/or revision to identify all existing, new, planned, future roads, and agricultural use roads as well as existing roads that are to be modified as part of the project. DOT understands there is an existing access permitted road located about 600 feet south of the proposed Road C (and about 3,500 feet south of the Maui Lani Parkway intersection) to Kuihelani Highway that will need to be extinguished. The applicant will need to submit a written request to extinguish the existing access to the DOT Highways Division, Right-of-Way Branch and afford the present users of this access permitted road continued access to the highway through the project's interior roadway network.
11. Section 1.8.2, Page 9 and Section 5.2.1, Page 166 of the DEIS state, "Waiale will contribute to regional traffic improvements that will address the impacts of general regional traffic growth, as well as impacts specifically related to Waiale." A list of those regional improvements should be included in both the DEIS and the TIAR recommendations section for the review and approval of DOT.

All access intersection improvements to Kuihelani Highway are considered local and not regional improvement. The only traffic mitigation for a State highway mentioned in Section 7.2 of the DEIS is an improvement to East Waiko Road at its intersection with Kuihelani Highway. Improvements within the Kuihelani Highway right-of-way are also required for each access and they should be described in Section 7.2.

12. All roads within the subject project should be bicycle and pedestrian friendly, including the roads leading to State highways.
13. Section 2.2.1 of the DEIS states that the project originally encompassed 826 acres, however about 220 acres, south of and adjacent to the Waikapu Stream were taken out. DOT understand the applicant, Alexander & Baldwin (A&B), still envisions the 220 acres for future urban expansion. As such, the applicant needs to examine and consider, as part of this DEIS, to reserve and make provision or accommodations for a connection or stub out for Kamehameha Avenue at the south boundary of the subject project to accommodate a potential future connection across Waikapu Stream to A&B's property to the south. The potential need for this connectivity arises with the proposed Waiale Road extension being only two lanes and currently the only parallel road to Honoapiilani and Kuihelani Highways.
14. Section 4.3, Roadways and Traffic, in the DEIS and Section 11 (A) of the TIAR states that 650 feet east of the East Waiko Road/Waiale Road intersection is a stop control; however, no site plan or map shows such a stop sign intersection, nor is a reason given for the stop.

15. While Figure 4, Major Projects in Project Vicinity, in the TIAR is a map showing the locations of the various other land development projects, the DEIS should have, but presently lacks, a similar illustration as part of the discussion on the subject project in context with present and planned uses of the lands around and surrounding the project site including Honoapiilani Highway and Kuihelani Highway.
16. The residential and industrial areas located adjacent to and north of East Waiko Road that use said road bisecting much of the subject project should be addressed in the DEIS with a map and narrative covering such adjacent activity. The DEIS should also discuss the amount and type of truck traffic generated by the present light industrial area and its impact to the roadways in the area.
17. The timing and funding of the planned County project to extend Waiale Road from East Waiko Road (aka Waiko Road) to Honoapiilani Highway and to improve East Waiko Road (aka Waiko Road) to three lanes from Waiale Road to Kuihelani Highway should be addressed in the DEIS and TIAR. The current Statewide Transportation Improvement Program (STIP) includes \$3.64 million for construction of Waiko road improvements, Kuihelani Highway to Waiale Road, in Federal Fiscal Year (FFY) 2014. Nothing is currently programmed for the Waiale Road Extension, so it is likely that the project will not be programmed until at least FFY 2017.
18. All mitigative measures in the Recommendations for Year 2022 with Project for Kuihelani Highway and Honoapiilani Highway shall be included in narrative form on page 64 of the DEIS. DOT will seek that such mitigative measures be included with any conditions of land use approval at the State and County levels.
19. An updated TIAR shall be required in or by 2022 to determine if mitigative measures, included in the revised TIAR that is accepted by DOT, are sufficient to achieve the currently projected levels of service and to provide any additional mitigation, as required.
20. The TIAR, dated March 21, 2011 (Appendix J) is not acceptable and should be revised for review and acceptance by DOT Highways Division. Besides the other comments in this letter that need to be reflected in the DEIS and revised TIAR, the revision of the TIAR shall address the following comments:
 - a. Explain the intent behind separating the "Base Year 2022" mitigation measures on page 64 of the TIAR from the "Additional Mitigation Measures" that was shown on page 65 of the TIAR. The explanation shall also identify the development projects being referenced; the conditions that were stipulated and required on the project; and the status (completed, underway, pending) of each mitigation measure.
 - b. The recommendations for Year 2022 with Project as shown on page 66 of the TIAR and page 64 of the DEIS describes one mitigation measure for a State highway, i.e. double left-turn lanes on eastbound East Waiko Road at the intersection with Kuihelani Highway that's not sufficient. The explanation should include a list of

intersection improvements within the State highway right-of-way at East Waiko Road, including but not limited to any needed channelization, adjustment of the traffic signal phasing, longer turn lanes and associated signing and striping.

- c. The recommendations for Year 2022 with Project in the TIAR include a statement at the bottom of page 66, "See Figures 11a, 11b, and 11c for a summary of recommended improvements." This is not acceptable. The TIAR shall list all recommended improvements in narrative form under Recommendations for Year 2022 with Project. The list of recommendations shall include mitigative improvements on Kuihelani Highway at its intersections with Road C, East Waiko Road and a relocated Road E. Mitigation at the access points on Kuihelani Highway shall include, but not be limited to, sight distance studies, queue analysis to determine turning lane lengths, traffic signal warrant studies, traffic signals when warranted and requested by DOT, acceleration, deceleration, turn and refuge lanes constructed to travel lane standards, channelization, bicycle lanes, pedestrian crosswalks, street lights, and associated signing and striping.
- d. The analysis for the Waiale project relies heavily on improvements to be made by other developments. Improvements or a share of future improvements to accommodate the Waiale project traffic on Honoapiilani Highway at its intersections with East Waiko Road and Kuikahi Drive shall also be included in the recommendations for Year 2022 with Project and with Mitigation. Mitigation shall include queue analysis to determine turning lane lengths, auxiliary lanes, channelization, bicycle lanes, pedestrian crosswalks, and associated signing and striping.
- e. Revision of the TIAR shall provide an alternative analysis to: 1) show the impact of the Waiale project in 2022 without improvements by others, i.e., Base Year 2022 without Improvements with Project and 2) recommend improvements to mitigate the project's traffic impacts on Kuihelani Highway and Honoapiilani Highway. The present analysis and recommendations rely heavily on the County of Maui's proposed Waiale Road Extension and East Waiko Road improvements, which may not be completed by 2022. The applicant shall be responsible to provide all recommended improvements needed to mitigate the Waiale project.
- f. The revision of the TIAR shall include a projected Phasing Plan of the development, but a traffic impact analysis of each phase will not be required until prior to a phase. The revised TIAR must be updated and approved by DOT prior to the commencement of construction of each respective phase of the development, generally as indicated in the Phasing Plan, and the traffic mitigation measures and other traffic improvements required to support that phase must be completed prior to the issuance of a certificate of occupancy for the first residential unit, commercial use or any use in that respective phase.

This comment expands on DOT's prior comments #2 and #3 in its letter STP 8.0494 (see attached).

- g. Identify and determine if adequate right-of-way is available to accommodate recommended improvements that the applicant will implement as mitigation.
21. The noise study shall be revised accordingly and submitted for DOT Highway Division's review and approval.
- a. Section 4.4, Noise and Vibration, of the DEIS shall be revised to provide a subsection with narrative for only the impacts of traffic noise from Kuihelani Highway and Honoapiilani Highway on the Waiale project. It is difficult to determine impacts because the discussion in the DEIS mixes requirements for different agencies, such as Housing and Urban Development (HUD) and FHWA. The Vehicular Impacts paragraph on page 67 shall provide the projected noise increase resulting from the Waiale Project along Kuihelani Highway.
 - b. If the noise analysis was not conducted in accordance with the requirements of Section 4, Traffic Noise Prediction and Section 5, Analysis of Traffic Noise Impacts of the DOT Noise Policy, the DEIS should explain the differences between DOT noise policy and the procedures used for the noise study in the DEIS.
 - c. Traffic noise analysis is to be done in accordance with the requirements in Section 4. Traffic Noise Prediction of the DOT's Highway Traffic Noise Policy and Abatement Guidelines dated April 25, 2011.
 - d. The DEIS shall discuss noise impacts on residences, the school and the parks and cultural preserves based on the requirements in the DOT Noise Policy. If cultural preserves land on which serenity and quiet are of extraordinary significance and serve an important public need and where preservation of those qualities are essential if the areas are to continue serving intended purposes, the cultural preserves would be in Activity Category A, which has DOT noise abatement criteria of 56 Leq(h).
 - e. Appendix K, Noise Study, states that both exterior and interior noise levels at residences that face Kuihelani Highway exceed FHWA guidelines and HUD guidelines. The applicant should be aware that DOT requires abatement for noise above or equal to 66 dBA Leq(h) for residential land use. The proposed use of Noise Control Measure N8, "Residents of units with exterior useable space fronting Kuihelani Highway and East Waiko Road shall be given notice of possible incompatible exterior noise levels" is not acceptable noise abatement. As residential use in Hawaii includes open windows and outdoor visiting, DOT encourages better land use compatibility planning to avoid excessive noise for sensitive receptors. The applicant shall either plan the project to achieve a noise level less than 66 dBA Leq(h) for residences and parks or plan, design and construct a noise wall at no cost to the State. The noise study shall include a description of the process and implementation

of the process by the applicant that clearly relieves the DOT of any responsibility to provide noise abatement measures.

- f. Noise Control Measure N11, using the 300 feet closest to Kuhielani Highway on the southern portion of the project site for recreational activities such as ball fields or basketball courts does not qualify as noise abatement measures in the DOT Noise Policy. DOT Noise Policy, Activity Category B includes active sports areas, which have a noise abatement criteria of 66 dBA Leq(h). DOT will not be responsible for abating highway noise that can be mitigated by appropriate land use planning or a noise wall or other feasible and reasonable method. Noise impacts from State highways to the Waiale development shall be addressed by the applicant in a manner that clearly relieves the DOT of responsibility for providing noise abatement measures.
22. No additional storm water runoff will be permitted in the State highway right-of-way. Water quality criteria for areas discharging into State drainage facilities shall follow DOT's current Storm Water Permanent Best Management Practices Manual.
23. All improvements in the State highway right-of-way must be planned, designed and constructed to current State requirements and American Association of State Highway and Transportation Officials (AASHTO) standards and provided at no cost to the State Department of Transportation.
24. Permits to work in the State highway right-of-way and the request for access to the State highway should be added to the major approvals/permits required in Section 1.1 of the DEIS.
25. The subject proposed development project can be affected by aircraft noise and overflights. The project lies just left of the primary approach corridor to Runway 2 at Kahului Airport and aircraft operating under visual flights rules approaching Kahului Airport from the south will also transit over the subject project enroute to either Runway 2 or Runway 5. The applicant should grant the DOT Airports Division an avigation and noise easement for the subject property and provide disclosure of potential impacts to prospective developers, homeowners and tenants. Additionally, the applicant and any developer should consider filing a Federal Aviation Administration (FAA) Form 7460-1 Notice of Proposed Construction or Alteration which can be obtained at the following website: <https://www.oceaaa.faa.gov/oceaaa/external/portal.jsp>. The filing of the construction or alteration notice ensures that there will be a review for obstructions, interference or safety impacts to aircraft from facilities and structures placed on properties within the development project.
26. The DOT requests a response to the above comments and our prior comments for our further review, before materials, reports and studies are included in the Final Environmental Impact Statement (FEIS) for the subject project.

Mr. Grant Chun
Page 8
September 1, 2011

STP 8.0522

If there are any questions or the need to meet with DOT Highways Division staff and/or DOT Airports Division staff, please contact Mr. David Shimokawa of the DOT Statewide Transportation Planning Office at telephone number (808) 831-7976.

Very truly yours,



GLENN M. OKIMOTO, Ph.D.
Director of Transportation

Attachment: Letter STP 8.0494 dtd 7/21/11

c: Jesse K. Souki, Office of Planning, DBEDT
William Spence, Maui Planning Department



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
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STP 8.0494

July 21, 2011

Mr. Grant Chun
A&B Properties, Inc.
P. O. Box 156
Kahului, Hawaii 96732

Dear Mr. Chun:

Subject: Draft Environmental Impact Statement - ~~Waiale~~ Waiale

Thank you for requesting the State Department of Transportation's (DOT) review of the subject project. DOT previously commented on the project's transportation impacts during the early consultation for the subject project in its letter STP 8.0292 dated November 29, 2010 (see Section 11 of the DEIS).

DOT offers the following initial additional comments on the subject project:

1. DOT remains concerned about the local and regional traffic impacts related to the development of the proposed 10-year project.
2. The master plan for Waiale is stated as being conceptual and preliminary in nature and subject to change. A review of a Traffic Impact Analysis Report (TIAR) used to support the proposed project will thus be conditioned and subject to the need for necessary supplements or updates as changes and refinements in the development plans occur or should the project, or portions thereof, are included in any subsequent land use or zoning application. Any updated TIAR will need to be submitted to DOT for Highways Division prior review and approval.
3. A detailed development plan for the subject project, including each phase or portions thereof, if incremental developments occur, shall accompany any TIAR. The development plan shall show the layout of the area or increment, and include types of units and spaces, sizes, uses, number of floors and parking.
4. The developer's traffic consultant will need to continue coordination with DOT Highways Division to ensure that all traffic impacts are adequately addressed and properly mitigated.
5. The DOT Highways Division is completing its review of the project DEIS and TIAR and will provide further comments as necessary.

Mr. Grant Chun
July 22, 2011
Page 2

STP 8.0494

DOT appreciates the opportunity to provide these initial additional comments. If there are any questions, including the need to meet with DOT Highways Division staff, please contact Mr. David Shimokawa of the DOT Statewide Transportation Planning Office at telephone number (808) 831-7976.

Very truly yours,


GLENN M. OKIMOTO, Ph.D.
Director of Transportation

c: Dan Davidson, Land Use Commission
Michael Shibata, PBR Hawaii & Associates, Inc.



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#10-065.2

November 4, 2015

Mr. Ed Sniffen, Deputy Director
State of Hawaii
Department of Transportation
869 Punchbowl Street
Honolulu, Hawaii 96813-5097

Dear Mr. Sniffen:

**Subject: Waiale South Project District
CPA 2015/0001, CIZ 2015/0001, PH1 2015/0001
Wailuku, Maui, Hawaii
TMK: (2) 3-8-005: 037 and 040 (por)**

This letter is a follow up to our meeting on Friday, October 30, 2015, regarding the Traffic Impact Analysis Report ("TIAR") prepared by Austin, Tsutsumi & Associates (ATA) for the Waiale South Project District dated January 20, 2015, and the Department of Transportation's (DOT) letter (HWY-PS 2.0735) dated October 8, 2015, addressed to Mr. William R. Spence, Planning Director, County of Maui, and relating to the TIAR and the subject County land use applications.

At our meeting, it was agreed that the remaining outstanding issues related to the TIAR could be resolved through the following proposed revisions to the TIAR:

- Relabel the TIAR as an addendum to the March 21, 2011 TIAR which had previously assessed the entire project area.
- Discuss the context of the report and discuss the changes that have occurred since the original TIAR, including a revised year for full build-out and impacts thereof.
- Clarify that the addendum is geared towards studying the first phase of development.

As discussed, revisions to the TIAR will be made consistent with this understanding and provided to the DOT for its appropriate review. It was further noted that Condition No. 5 of the State Land Use Commission's Decision and Order requires that "...Petitioner shall obtain acceptance of the Project's TIAR from DOT and shall execute the MOA prior to final subdivision approval of the initial phase of onsite development by the Petitioner." As discussed and understood, this condition provides DOT the authority to require and accept updates to the TIAR at its discretion, prior to any onsite development at the Waiale South Project. Accordingly, the DOT has no objections to the continued processing of the subject County land use applications for the Waiale South Project.



Mr. Ed Sniffen, Deputy Director
State of Hawaii
Department of Transportation

November 4, 2015

We appreciate the opportunity to discuss these matters with you, and for your assistance and support of the Waiale South Project.

Sincerely,

AUSTIN, TSUTSUMI & ASSOCIATES, INC.

By

Matt K. Nakamoto, P.E.
Chief Transportation Engineer

MN:ml

cc: William R. Spence, Maui Planning Department (w/ Attachment)
Clayton Yoshida, Maui Planning Department (w/ Attachment)
Danny Dias, Maui Planning Department (w/ Attachment)
Ken Tatsuguchi, Hawaii Department of Transportation (w/ Attachment)
Marisa Fujimoto, Munekiyo & Hiraga (w/ Attachment)

Attachment: DOT Letter (HWY-PS 2.0735) dated October 8, 2015

PRELIMINARY ENGINEERING AND DRAINAGE REPORT FOR WAI'ALE PROJECT DISTRICT SOUTH

Waikapu, Maui, Hawai'i

Final

January 28, 2015

Prepared for:

A&B Properties, Inc.
822 Bishop St.
Honolulu, Hawaii 96813



Austin, Tsutsumi & Associates, Inc.

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PRELIMINARY ENGINEERING AND DRAINAGE REPORT FOR WAI'ALE PROJECT DISTRICT SOUTH

I. INTRODUCTION

In April 2011, a preliminary engineering and drainage report was prepared for the Wai'ale Community Project that was to be developed by A&B Properties, Inc. The overall project area for the Wai'ale Community Project was approximately 545 acres and included two non-contiguous areas located north and south of Waiko Road in the Waikapu area. A&B Properties, Inc. (A&B) has since decided to pursue development of the area south of Waiko Road, hereafter referred to as the Wai'ale Project District South, which comprises approximately 122.6 acres. The purpose of this report is to provide an overview of the preliminary civil engineering design of the Wai'ale Project District South. This report evaluates the existing site conditions and presents proposed, drainage, water, wastewater, roadway, electrical, telephone, and cable improvements.

II. PROPOSED PROJECT

A. LOCATION

The Wai'ale Project District South is located in Waikapu, Maui, Hawaii with TMK Nos. (2) 3-8-005: 040 (portion) and 037. The project area comprises approximately 122.6 acres and is bordered by East Waiko Road to the north; Kuihelani Highway to the east; and vacant agricultural land and the Waikapu Stream to the south and west. The project area is owned by Alexander & Baldwin, LLC. (See Exhibit 1, Location and Vicinity Map, and Exhibit 2, Tax Map.)

B. PROJECT DESCRIPTION

The Wai'ale Project District South is a master planned residential community that includes Single Family and Multi-Family residences, Village Mixed Use – which is combination of commercial and Multi-Family residences, Parks and Landscape Buffer/Utility Easement. Site work will include grading of the project area, construction of buildings, roadways, walkways; and installation of utility services including water, wastewater, drainage, underground electrical, television, and cable. Access to the site will be provided from Kuihelani Highway and East Waiko Road. (See Exhibit 3, Preliminary Site Plan.)

III. EXISTING CONDITIONS

A. TOPOGRAPHY AND SOIL CONDITIONS

The project area is largely undeveloped with the exception of some sand pit excavations, a small orchid farm, some cane haul roads, and an existing transmission waterline. The project area was used for sugar cane production up until about 2008, but the area now lies fallow. The groundcover now consists of residual sugar cane, tall grasses, weeds and brush. Most of the groundcover is fairly well established, however, there are a few areas of bare sandy soils. The orchid farm, located near the northeast corner of the site, has some higher stands of trees, some irrigated row crops, and a small structure for agricultural operations. Some intermediate dirt and asphalt cement (a.c.) paved cane haul roads provide access through the site.

The project site generally slopes in an easterly direction toward Kuihelani Highway, with an average slope of two to three percent. Elevations range from approximately 200 to 300 feet mean sea level (msl). The south project site had been graded during its agricultural days to have fairly smooth and consistent land slopes.

The soil types found in the proposed project area include Puuone Sand (PZUE) and Jaucas Sand (JaC). (See Exhibit 4, Soils Map.)

Puuone Sand (PZUE) is found on the northern portion of the site near East Waiko Road. These well drained soils developed in material derived from coral and seashells. A typical soil profile consists of a layer of loose, grayish-brown sand over a strongly cemented sand layer that is 20-40 inches deep. Permeability is rapid above the cemented layer and the hazard of wind erosion is moderate to severe. The Hydrologic Soil Group (HSG) rating for Puuone Sand is "A".

Jaucas Sand (JaC) is found on the southern portion of the site near Waikapu Stream. It is a pale brown, single grained, calcareous sand that was also originally formed from coral and seashells. The sand profile is generally more than 60 inches deep. In many places the surface layer is dark brown due to the accumulation of organic matter and alluvium. Permeability is rapid, the erosion hazard is slight, and the HSG rating is also "A". Exposed Jaucas Sand can be susceptible to severe erosion where the vegetation has been removed.

Soil classifications and descriptions are taken from the Natural Resources Conservation Service's publication, *Soil Survey of the Islands of Kauai, Oahu, Molokai, Maui, and Lanai*.

B. CLIMATE AND RAINFALL

Waikapu's climate is relatively uniform and sunny throughout the year, with temperatures varying from a low of 63 degrees Fahrenheit to a high of 87 degrees. Waikapu is generally exposed to prevailing tradewinds coming from the northeast. The tradewinds occur mainly through the dry season months of May through September. Rainy season months of October through April often produce stronger wind conditions, varying from prevailing tradewinds to southerly winds known as "Kona winds". The site is arid with average annual rainfall of around 17.4 inches. The 50-year, 1-hour rainfall is 2.7 inches and the 50-year, 24-hour rainfall is 9.1 inches.

C. INFRASTRUCTURE

1. Roadways

The project site contains existing dirt and a.c. paved cane haul roads. The primary access to the site comes from Kuihelani Highway where there is an existing signalized traffic intersection. The onsite roads are used by Hawaiian Commercial and Sugar Company (HC&S) to access their lands and there is a cane haul road that crosses Waikapu Stream at a ford, connecting to other HC&S fields south of the stream.

Kuihelani Highway, which borders the eastern part of the project, is a four-lane, divided arterial with a posted speed limit of 55 miles per hour (mph) in the vicinity of the project. This highway is owned by the State of Hawaii, Department of Transportation.

East Waiko Road, which borders the northern part of the project, is a two-lane, undivided collector road with a posted speed limit of 20 mph. The road is owned by the County of Maui, and is rural in character with no curbs or sidewalks.

2. Drainage

The site slopes generally in an easterly direction towards Kuihelani Highway. There are no onsite drainage-ways or stormdrain systems that carry concentrated stormwater runoff. The sandy onsite soils have very high infiltration rates and rainfall from smaller storms is typically absorbed. A berm along most of the highway frontage also helps capture runoff. Only larger or very intense rain storms produce significant runoff that reaches Kuihelani Highway. Any runoff that does reach the highway is dispersed over a wide area of highway frontage.

Kuihelani Highway has a high point near the center of the site. The high point marks the dividing line in Maui between what drains south to Maalaea Bay and what drains north to Kahului Bay. (See Exhibit 5, Drainage Area Map – Existing Conditions.)

The south half of the project (Drainage Area 1) is in the Waikapu Stream watershed, which ultimately drains to Kealia Pond and Maalaea Bay. The area drains east to Kuihelani Highway where an existing swale on the mauka side of the road intercepts runoff. Most of the swale flow goes to a 42-inch culvert under the highway, while a smaller portion flows directly to Waikapu Stream. The 42-inch culvert outflow path is currently blocked by a high berm but the former outflow path was into HC&S agricultural lands east of the highway and eventually to Waikapu Stream. The capacity of the culvert is approximately 69 cubic feet per second (cfs). The existing conditions 50-year runoff for Drainage Area 1 is estimated at 16 cfs. (See Appendix A for Drainage Calculations.)

The north half of the project (Drainage Area 2) is in the Kahului Bay watershed and doesn't drain to any defined stream. The north portion of the site also drains to the Kuihelani Highway swale similarly to the south half; however this portion of the highway swale drains to the north. The swale runoff is collected by one of two drainlines at the highway. The first drainline, located near the current project access road, collects runoff through a 24-culvert headwall and two grated drain inlets. However, the grated drain inlets are raised higher than the surrounding ground grade and do not appear to capture any runoff. It appears that runoff is only currently entering the drainline through the culvert headwall. The 24-inch drain transitions to a double 24-inch drainline where it drains under the highway. The capacity of the 24-inch culvert is approximately 20 cfs, while the capacity of the double 24-inch drain is around 38 cfs.

The second Kuihelani Highway drainline for the north half of the project site is a 36-inch by 18-inch box drainline that runs under East Waiko Road. A grated drain inlet is located just south of East Waiko Road, but this inlet grate is also raised higher than the surrounding grade, making it likely that runoff occasionally ponds into the travelway. A second grated drain inlet is located at the highway median and collects runoff from the median swale. The capacity of the box drain is approximately 19 cfs. The box drain outlets to the Kuihelani Highway

swale north of East Waiko Road where the flow continues overland to the north. The 50-year runoff for Drainage Area 2 is estimated at 29 cfs.

East Waiko Road has a.c. paved swales that collect the runoff from the roadway. Very little of the project site drains to East Waiko Road. The roadway swale runoff flows east toward Kuihelani Highway where it is collected by the single grated drain inlet on the 36-inch by 18-inch box drainline. The existing drainage system along East Waiko Road and at the receiving point at Kuihelani Highway appears to be undersized for the runoff that is generated by the roadway.

3. Water

There are no existing domestic waterlines servicing the project area. The County of Maui, Department of Water Supply (DWS) provides water service within the vicinity of the project. To the west of the project, DWS services Waikapu, including the Waiko Baseyard Subdivision, which is the closest development to the project. Waikapu and the Waiko Baseyard are serviced by DWS's existing 300,000-gallon Waikapu Reservoir that has an overflow elevation of 779.9 feet mean sea level (msl).

There is a 12-inch transmission main that conveys water from the Waikapu Reservoir down Waiko Road to service users in the area. The 12-inch main extends down West Waiko Road, under Honoapiilani Highway, and down to the intersection of East Waiko Road and Pakana Street. A 12-inch waterline in Pakana Street supplies water to the Waiko Baseyard Subdivision. There is a 12-inch stub-out at the intersection of Pakana Street and East Waiko Road.

There is a 16,000 gallon pressure break tank at an approximate elevation of 656 feet msl. In addition, there are two pressure reducing valves (PRVs) on the 12-inch transmission main in Waiko Road which reduce the pressure in the distribution system to acceptable levels. The upper PRV is located on West Waiko Road at an approximate elevation of 530 feet msl. The lower PRV is located on East Waiko Road at an

approximate elevation of 380 feet msl. The Waiko Baseyard is located downstream of the lower PRV, and thus, the pressure in the subdivision is based on the outlet pressure of the lower PRV.

DWS has two transmission waterlines, which are not used to service users in the area, but which pass through the vicinity of the project. The 18-inch Kihei Water Development Project transmission line runs along Wai'ale Road then cuts through the project in a southeasterly direction towards Kihei. (See Exhibit 6, Existing Water System.) The 36-inch Central Maui Water Transmission System transmission line passes through north of the project and head towards Kihei.

Hawaiian Commercial & Sugar Company (HC&S) also has an existing irrigation pipeline that runs parallel to DWS's 36-inch transmission line.

The following are existing DWS storage tanks in the vicinity of the project:

Waikapu 300,000-gallon Concrete Reservoir

Bottom Elevation = 764.0

Maximum Water Level = 779.5

Kehalani Mauka 1.5 MG Mid-Level Tank

Bottom Elevation = 670

Maximum Water Level = 690

Wailuku Heights Extension 20,000-gallon Steel Tank

Bottom Elevation = 672

Maximum Water Level = 686.5

Wai'ale 3.0 MG Concrete Tank

Bottom Elevation = 270.35

Maximum Water Level = 292.35

The Consolidated Baseyard Subdivision, which is a development adjacent to the project area, has an existing private water system. The components of this system include two small groundwater wells, an on-site 350,000 gallon reservoir sized primarily for fire protection water storage, a domestic water package booster pump and a separate fire

pump, and a private water distribution system consisting of 12-inch waterlines.

4. Wastewater

The project site currently generates no wastewater flow. There are no County sewer lines in the vicinity of the project. The closest County sewer line is a gravity line that runs through Waikapu Gardens, and then along Wai'ale Road, conveying wastewater to the Wailuku Wastewater Pump Station (WWPS). The Wailuku WWPS pumps the wastewater to the Wailuku-Kahului (W-K) Wastewater Reclamation Facility (WWRF) for treatment. The plant design capacity of the W-K WWRF is 7.9 million gallons per day (MGD).

Tropical Plantation, Waikapu Gardens and Waiko Baseyard are all serviced by private wastewater collection systems. There are four private WWPSs within these areas – one for Tropical Plantation, two for Waikapu Gardens, and one for Waiko Baseyard. These WWPSs pump the wastewater into the County's gravity line running through Waikapu Gardens. (See Exhibit 7, Existing Wastewater System.) The Consolidated Baseyard Subdivision utilizes on-site individual wastewater treatment systems.

5. Electrical

There is currently no electrical service to the project site. Maui Electric Company (MECO) currently has a three-phase primary 12.47 kV overhead line that serves the Consolidated Baseyards Subdivision. This overhead line converts to underground within the subdivision. MECO also has primary overhead lines that end at the intersection of Waiko Road and Waiale Drive. MECO also has primary distribution circuits that service the Maui Lani Development north of project area.

6. Telephone

Hawaiian Telcom's (HTCOM) has facilities along Lower East Waiko Road and underground facilities at the entry of the Consolidated Baseyards Subdivision. HTCOM also has facilities that currently consist of underground cables installed in a duct and manhole/hand-hole system on Kamehameha Avenue in the Maui Lani Development to the north of Wai'ale Project District South. Spare ducts are stubbed out for extension at the end of Kamehameha Avenue at Pomaikai Elementary School.

7. Cable

Oceanic Time Warner Cable (TW) has facilities along Lower East Waiko Road and underground facilities at the entry of the Consolidated Baseyards Subdivision, similar to MECO and HTCOM.

D. FLOOD ZONE

The project is situated just north of Waikapu Stream. Waikapu Stream contains Zone AE and Zone AEF 100-year (1-percent annual chance) floodway areas with water surface elevations determined. Immediately adjacent to the Waikapu Stream 100-year floodway are small areas designated as Zone XS (X Shaded). These shaded Zone X areas are defined as 500-year flood areas, areas of 1-percent annual chance sheet flow flooding where average depths are less than 1 foot or with drainage areas less than 1 square mile, or areas protected by levees. The Zone AE and AEF 100-year floodway areas represent only a small portion of the site and will remain undeveloped. The vast majority of the project area lies within the unshaded Flood Zone X, which are areas determined to be outside the 0.2 percent annual chance floodplain.

Flood zone classifications are based on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) numbers 1500030393E and 1500030394E, effective September 25, 2009. (See Exhibit 8, Flood Zone Map.)

IV. PROPOSED IMPROVEMENTS

A. ROADWAYS

The preliminary site plan provides for three collector roads, with one access point from Kuihelani Highway and two access points from East Waiko Road. Other minor interior roads will provide access into the proposed residential and commercial areas. (Refer to Exhibit 3, Preliminary Site Plan.)

Preliminarily, the collector roads are planned to consist of a two-lane travelway, turning medians, and a pedestrian/bike pathway. The design of the collector roadways will be based on standards set forth by the County of Maui.

East Waiko Road is proposed to be improved along the side that fronts the project site. The roadway will be widened, a sidewalk will be installed, and a curb, gutter, and storm drain system will be added.

B. GRADING PLAN

The proposed grading improvements described herein are based on a preliminary civil engineering evaluation. A more detailed engineering design and analysis will be undertaken during the design phase of the project.

The proposed project will require both excavation and embankment for the construction of the new roadways, building pad areas, and drainage structures. Overall, the site will be graded to maintain the existing drainage patterns with the prevailing slope toward Kuihelani Highway. Proposed roadway grades will generally be very mild, with slopes of between one and five percent. Where embankments or excavations are required, a maximum slope of two-feet horizontal to one-foot vertical will be used. Retaining walls are not expected to be required, but if they are needed, they will be relatively low with heights ranging from two to six feet. A park buffer will be maintained along a portion of the project's boundary with Waikapu Stream. (See Exhibit 9, Preliminary Grading and Drainage Plan.)

C. DRAINAGE PLAN

The project site is divided into two distinct north and south watersheds that are each less than 100 acres. Since the watershed areas are less than 100 acres, the Rational Method is used to calculate runoff and the 50-year, 1-hour storm is used for design. Localized onsite drainage systems that are not in sump or low point areas may be designed for the 10-year storm.

The proposed project will contain a mix of residential and commercial uses, as well as some parks and open space. Runoff will be collected by open swales or stormdrain systems and will be routed to one of two detention basins. (See Exhibit 10, Drainage Area Map – Proposed Conditions.) A brief description of the individual drainage areas follows:

- DA-1: Drainage Area 1 is 80.6 acres and consists of south half of the project site within the overall Waikapu Stream/ Maalaea Bay watershed. Runoff will be collected by onsite storm drain systems and conveyed to a retention basin located east of Kuihelani Highway on HC&S land. Retention Basin 1 will have a storage capacity of 10.5 acre-feet (ac-ft), which is enough to fully retain the 50-year 1-hour runoff volume. While the pond will have no outflow for the 50-year 1-hour storm, an emergency overflow spillway will be provided in case larger storms occur.

- DA-2: Drainage Area 2 is 42.0 acres and consists of the northeast portion of the site within the Kahului Bay watershed. Runoff from this area will also be collected by onsite storm drain systems and conveyed to a retention basin located east of Kuihelani Highway on HC&S land. Retention Basin 2 will have a storage capacity of 6.6 acre-feet (ac-ft), which is enough to fully retain the 50-year 1-hour runoff volume. An emergency overflow spillway will also be provided in case larger storms occur.

Since the retention basins are proposed to be located on lands east of Kuihelani Highway, new storm drain systems need to be constructed under the highway to convey the project runoff to those basins. The existing storm drain systems at Kuihelani Highway do not have sufficient capacity for the proposed site runoff. Preliminary estimates for sizes of the new storm drainlines are a double 48-inch pipe and 54-inch pipe for Drainage Areas 1 and 2, respectively. These new drainlines under the highway will need to be permitted and approved by the Hawaii Department of Transportation (HDOT).

Prior to retention, the proposed project site produces a 50-year runoff of 253 cfs for Drainage Area 1 and 158 cfs for Drainage Area 2. After retention, the runoff will be fully contained, thereby meeting the Maui requirement of having no increase in stormwater runoff from existing to proposed conditions. (Refer to Appendix A for Hydrology Calculations and Exhibit 11 for the Drainage Flowchart.)

An alternate scenario may be possible in which the new storm drain systems crossing Kuihelani Highway could be avoided and the existing storm drain systems could be used instead. To be able to use the existing storm drain systems at Kuihelani Highway, the proposed site runoff would have to be reduced by extensive use of Low Impact Development (LID) techniques (e.g. bioretention basins, porous pavement), or onsite retention basins. This alternative scenario will be evaluated further as the design progresses.

D. STORMWATER QUALITY

In addition to reducing peak flow rates, the proposed stormwater management system will provide water quality treatment to reduce the discharge of pollutants to the maximum extent practicable. Instead of just managing the infrequent peak storm events, the more common smaller storms will be targeted for treatment. The goal will be to provide water quality treatment for 90 percent of the average annual rainfall.

The project will incorporate stormwater Best Management Practices (BMPs) to control water quality. Examples of stormwater BMPs that will be employed include:

Grass Swales

Surface stormwater runoff from developed areas will be directed to grass swales and landscaped areas where possible. The grasses and other vegetation provide natural filtration while allowing percolation into the underlying soil.

Open Space/ Reduced Impervious Coverage

Approximately 14 percent of the developed project site will be reserved as park areas or other open spaces. A buffer strip will be maintained along Waikapu Stream and Kuihelani Highway. Open space and park areas will be maintained with grass or other native vegetative cover. Reducing impervious coverage where possible promotes infiltration and maintains the natural hydrologic cycle.

Stormwater Retention/ Infiltration

The entire water quality design volume will be retained in the proposed retention basins. The potential pollutants will be prevented from flowing to downstream areas such as Waikapu Stream. Stormwater will be held for an extended period allowing suspended solids to settle out. Water will infiltrate into the soils gradually over 24 to 48 hours and recharge groundwater. Since the project will not contain stormwater "hotspot" uses such as heavy industrial, car salvage, car repair or fueling sites, stormwater infiltration is considered an acceptable practice.

A maintenance plan will be developed for managing the BMPs on the future site. The plan will include requirements for removing accumulated sediments and debris, maintaining vegetation, and performing regular inspections so that the BMPs operate effectively into the future.

The Department of Health (DOH) Safe Drinking Water Branch is the lead agency for development and implementation of Hawaii's Source Water Assessment Program (SWAP). The SWAP utilizes fixed distance and time of travel criteria for delineating individual zones within the assessment area for each well that supplies a public water system. The shape of the delineated internal zones is dependent on the hydrologic properties of the underlying aquifer

(conductivity, porosity, and hydraulic gradient), the location of surrounding flow boundaries, and the characteristics of the well (e.g., depth of penetration and pumping rate). Two-year and ten-year zones of contribution for the existing Consolidated Baseyard Well Nos. 1 and 2 and for Wai'ale Well Nos. 1 and 2 have been delineated by DOH. (Refer to Exhibit 10.) A small portion of the project area along East Waiko Road overlies part of the zones of contribution for the Consolidated Baseyard Wells. The zones of contribution for the Wai'ale Wells are outside of the project area. To mitigate potential groundwater contamination, best management practices for the future use of the property will be implemented. Covenants will be imposed which will inform potential homebuyers that activities at the property could impact the groundwater beneath the property. Covenants will require compliance with all applicable environmental and other governmental laws, rules, and regulations, and will require efforts to prevent groundwater contamination from fertilizers, pesticides, metals, petroleum products, solvents and other contaminants.

E. EROSION CONTROL PLAN

Temporary erosion control measures will be incorporated during the construction period to minimize soil loss and erosion hazards. Special care will be taken to protect sensitive areas such as Waikapu Stream and existing drainage systems. Temporary Best Management Practices will include sediment basins, diversion berms and swales, silt fences, dust fences, inlet protection, slope protection, stabilized construction entrances and truck wash-down areas. Periodic water spraying on loose soils will take place to minimize airborne dirt particles from reaching adjacent properties. An application for a National Pollution Discharge Elimination System (NPDES) permit will be submitted to the State Department of Health for review and approval.

At the end of construction, all disturbed areas of the site will be permanently stabilized. Permanent sediment control measures, such as those listed in the previous "Stormwater Quality" section" will be used once construction is completed.

F. WATER SYSTEM PLAN

An Environmental Impact Statement Preparation Notice (EISPN) for the previous Wai'ale Community Project was prepared by PBR Hawaii & Associates, Inc. in August, 2010. The Maui Department of Water Supply (DWS) reviewed the EISPN, and commented in a letter dated October 27, 2010, that: "There is currently no additional source available to accommodate new customers according to system standards on the Central Maui system." Pending further discussion with DWS, the intent is to develop a new water source for the project. New water storage facilities and transmission lines will also be required. The project's water system is intended to be constructed with the intent of dedicating the system to DWS for incorporation into DWS's water system.

1. Water Demand

The estimated water demand for the project was determined based on the County of Maui, Department of Water Supply's Water System Standards (WSS), dated 2002, as follows:

- Single-Family: 600 gallons per day (gpd) per unit
- Multi-family: 560 gpd/unit
- Village Mixed-use: 560 gpd/unit for Multi-family
140 gal/1000 sf for Commercial
- Recreation/Open Space: 1,700 gpd/acre

Table 1 shows the projected water demands for the project.

Table 1. Projected Water Demands

Waialeale Project District South – Projected Water Demands				
Land Use	Area (acres)	No. of Units	Average Unit Demand	Average Total Demand (gpd)
Multi-Family	29.5	500	560 gpd/unit	280,000
Single Family	60.4	380	600 gpd/unit	228,000
Village Mixed Use	8.0			
Commercial (100,000 sf)			140 gpd/1,000 sf	14,000
MF Flats		70	560 gpd/unit	39,200
Roads	7.6	0	0	0
Sub-Total (rounded)	105.5	950		561,000
Parks/Buffer	17.1		1700 gpd/acre	29,100
Total	122.6	950		590,300
Total Average Day Demand (rounded) (gpd)				590,000
Max Daily Demand (gpd)				885,000

Based on the WSS water usages, the projected total average daily water demand for the project is estimated to be 590,000 gpd. In accordance with the WSS, the maximum daily water demand is calculated as being 1.5 times the average daily demand, or 885,000 gpd.

However, irrigation of the parks and buffer area with effluent is also being considered for the project, which would reduce the potable average daily water demand by 29,100 gallons. Therefore, the projected average daily water demand for the project, without park irrigation, is estimated to be 561,000 gpd.

Water conservation measures, such as low-flow shower heads, will also be implemented for the project to decrease the water demand.

The maximum fire demand will be 2,000 gallons per minute (gpm), which is the required demand for commercial developments.

2. Water Source

A&B is actively pursuing opportunities to provide a viable potable water source to serve the project. A&B is in discussions with the County

of Maui, as well as other landowners and developers within the region, to identify and evaluate potential new potable groundwater sources. These opportunities include the development of new groundwater wells within the Waikapu Aquifer which could serve the project, as well as the needs of the larger community. Improvements to related water transmission and storage infrastructure would also be evaluated. All source alternatives will require further discussion, review, and approval by applicable governmental agencies as the project proceeds. A&B is undertaking this work well in advance of the project in order to ensure that the potable water needs are met on a timely basis. For the purposes of this PER it is assumed that the source water will be available for the project. The following sections discuss proposed improvements for the storage and transmission of the water for the project.

3. Water Storage

A new water storage reservoir will be required to meet the storage requirements for the project. DWS's WSS include three criteria for sizing reservoirs, as follows:

1. Meet maximum day consumption. Reservoir full at the beginning of the 24-hour period with no source input to the reservoir.
2. Meet maximum day rate plus fire flow for a duration of fire. Reservoir 3/4 full at start of fire, with credit for incoming flow from pumps, one maximum size pump out of service.
3. Minimum size reservoir shall be 0.1 MG (million gallons). Reservoir size shall be as specified in Section 105.10 – RESERVOIR, Subsection A – size.

Where there are two or more reservoirs serving the same system, the design shall be made on the basis of combined protection provided by all facilities available.

The standard sizes allowed by DWS are 0.10 MG, 0.20 MG, 0.25 MG, 0.30 MG, 0.50 MG, and 1.0 MG. After 1.0 MG, sizes should be in multiples of 0.50 MG.

The reservoir capacity for the project would be based on Criterion 1. (See Appendix B, Preliminary Water Calculations.) Based on this criterion, the required storage volume would be 885,000 gallons. Therefore, the recommendation is to construct a 1.0 MG concrete reservoir, which the smallest DWS standard sized reservoir which would meet the storage requirements for the project.

The recommendation is to construct a 1.0 MG reservoir with an approximate overflow elevation of 780 feet at a site near the existing 300,000 gallon Waikapu Tank which would allow the new tank to "float" with the existing tank. (Refer to Exhibit 6) Although this tank would be at a higher elevation than necessary to service the project site, the existing PRV on the existing 12-inch transmission main in East Waiko Road, which reduces the pressure to service the Waiko Baseyard Subdivision, would adequately reduce the pressure to service most, if not all, of the project area.

The project ranges in elevation from approximately 200 feet msl at the northeast corner to approximately 300 feet msl at the northwest corner. The maximum static pressure allowed by the WSS is 125 psi, which is equivalent to 289 feet. (Static pressure is based on no water flowing in a system, and is calculated as the difference in elevation between the water level in a reservoir and the elevation at the point that the static pressure is being calculated.) The PRV is at an approximate elevation of 380 feet. Therefore, the maximum allowable outlet pressure setting would be about 47 pounds per square inch (psi), which would result in a static pressure of about 125 psi at elevation 200 feet msl. ($380' + 109' (= \text{outlet pressure } 47 \text{ psi}) - 200' = 289' = 125 \text{ psi.}$)

The current outlet pressure setting of the PRV needs to be obtained from DWS. If the outlet pressure setting is higher than 47 psi, then a new PRV within the project area may be needed to service the lowest lots.

If the outlet pressure setting is 47 psi, then the minimum static pressure at the highest elevation of 300 feet would be approximately 82

psi, which should be adequate to meet the WSS minimum pressure requirements.

4. Transmission and Distribution System

DWS's existing transmission and distribution lines will be utilized, to the extent possible, to convey water needed for the project. Service to the project site could be provided by connecting to the existing 12-inch waterline in East Waiko Road at the stub-out. (Refer to Exhibit 6). A 12-inch transmission main would then be extended down East Waiko Road to convey water to the project area. The new transmission main will be sized to handle the maximum day demand for the project plus the maximum fire flow of 2,000 gpm.

On-site distribution waterlines will primarily be composed of 12-inch waterlines and will be located within the project roadways. (See Exhibit 12 Proposed On-Site Water Distribution System.) The waterlines will be sized to provide water for potable, irrigation and fire suppression purposes.

Fire hydrants will be installed at a maximum of 250 foot intervals within the site, per the WSS.

The waterlines will be of ductile iron and designed to meet the WSS for pipeline sizing.

Further analysis of the water transmission and distribution system will be undertaken as part of the detailed engineering design process for this project.

G. WASTEWATER SYSTEM

In previous discussions with the County of Maui Wastewater Reclamation Division, the County has confirmed that there is probably not enough capacity at the W-K WWRF for even initial flows from the project, since treatment capacity is allocated on a first come first served basis, and they already have multiple requests for capacity allocation. The County does not plan on expanding the capacity of the W-K WWRF due to issues associated with its location adjacent to the shoreline.

Brown and Caldwell has recently prepared a draft report for the County of Maui, titled, "Central Maui Recycled Water Study", dated June 2014. The report establishes a wastewater management plan for new developments located in Central Maui, including the Waiale Project District. The report discusses how much wastewater will be generated by the new developments, how to convey the wastewater to a new wastewater water reclamation facility (WWRF) for treatment, and how to manage the treated effluent.

The report concludes that a new WWRF to produce R-1 should be located on land adjacent to Kuihelani Highway, approximately half a mile south of the Waiale Project District South. The effluent from the WWRF would primarily be used to irrigate parks, open spaces, and highway right-of-ways within the service area boundary. Secondary use areas located outside of the service area would include golf courses and a nearby agricultural reserve. The report recommends development of a groundwater well to provide supplemental water to the recycled water system during dry years and peak usage, and to utilize a soil aquifer treatment system (rather than injection wells) for disposal of excess recycled water during rainy weather.

For the purposes of the PER, it is assumed that A&B will pursue the option of constructing a private wastewater treatment facility (WWTF) to treat the wastewater generated by the project. However, if the County decides to pursue this new WWRF, then the recommendation is for A&B to plan together with the County for a mutually beneficial solution for the treatment and disposal of the wastewater generated by the project. A regional WWRF would eliminate the need for a private WWTP to treat the wastewater from the project.

1. Wastewater Flows

Preliminary wastewater contributions for the project were determined based on the County of Maui, Wastewater Reclamation Division's Wastewater Flow Standards, dated February 2, 2006, as follows:

- Single-Family: 350 gpd/unit
- Multi-family*: 320 gpd/unit
- Village Mixed-use (VMX)*:
 - Multi-Family: 320 gpd/unit
 - Commercial: 15 gpd/employee
- Parks: 5 gpd/visitor

*Contribution assumed to be less than for single-family residence, but more than 255 gpd/unit for Apartment/Condo units. Village Mixed-Use also includes commercial use.

The wastewater contribution for the Parks areas was calculated based on an assumed total count of 250 visitors per day. The anticipated average daily wastewater flows are shown in Table 2. (See Appendix C, Preliminary Wastewater Calculations.)

Table 2. Projected Wastewater Flows

Wai'ale Project District South – Wastewater Flows				
Land Use	Area (acres)	No. of Units	Wastewater Contribution	Average Daily Flow (gpd)
Multi-Family	29.5	500	320 gpd/unit	160,000
Single Family	60.4	380	350 gpd/unit	133,000
Parks/Buffer¹	17.1	250	5 gpd/visitor	1,250
Village Mixed Use	8.0			
Commercial (100,000 sf) ²			15 gpd/employee	4,286
MF Flats		70	320 gpd/unit	22,400
Roads	7.6	0	0	0
Totals	122.6	950		320,936
Total Average Daily Wastewater Flow (rounded) (gpd)				321,000

¹ Number of park visitors assumed to be 250 per day.

² Commercial flow based on 1 employee per 350 square feet (sf) of building floor space.

2. Wastewater Treatment Facility

Based on the design average flow for the project of 321,000 gpd, the WWTP would be designed to treat approximately 385,000 gpd of wastewater, which would allow for a 20% cushion. The WWTF would be designed to produce R-1 Water, which could then be reused, mainly for irrigation purposes. Approximately four to five acres of land is expected to be required for the WWTF.

The proposed WWTF would be located across Kuihelani Highway from the project area and south of Waikapu Stream. The WWTF would be located on land owned by Alexander & Baldwin, Inc., designated as TMK: (2) 3-8-005-002. (See Exhibit 13, Proposed Wastewater System.) The treatment process would consist of secondary treatment followed by filtration and disinfection. The R-1 Water would most likely be stored in a 385,000-gallon R-1 Water storage tank that would be located at the WWTF site to store one day's worth of R-1 Water. A booster pump would be used to pump the R-1 Water into the reuse system. (See Exhibit 14, Wastewater Treatment Facility Process Schematic.)

In the event that there is an upset in the treatment process, and the effluent does not meet R-1 Water standards, the non-compliant water will be stored in a separate on-site 385,000-gallon storage tank. The non-compliant water will then be bled back into the front end of the WWTF for re-treatment.

Another option for storage of the R-1 Water may be to utilize HC&S's existing irrigation reservoir located adjacent to Waihee Ditch, approximately 1,800 feet east of the project, and approximately 2,700 feet north of the proposed WWTF site. The existing irrigation reservoir has a capacity of 500,000 gallons. However, the minimum water level in the reservoir should be 18 inches to ensure proper operation of the existing filter station pumps. Therefore, the actual working capacity of the reservoir would be closer to 300,000 gallons.

HC&S has expressed concerns regarding acceptance of the WWTF effluent, and has suggested that irrigation of HC&S fields be used as a backup recipient when other reuse areas have received what they can utilize. Also, precautions would need to be taken to ensure that no effluent can enter the adjacent Waihee Ditch. Consideration should also be made to the costs associated with lost crop and field and irrigation system modifications if new facilities are located in current crop lands.

3. Wastewater Collection System

An on-site gravity sewer system will be installed to provide wastewater collection service to all proposed lots. Wastewater from the southern part of the project would be conveyed, via gravity flow, directly to the WWTF. Wastewater from the northern part of the project would be conveyed, via gravity flow, to a new wastewater pump station (WWPS) in the northeast corner of the project, adjacent to Kuihelani Highway. The wastewater would then be pumped from the WWPS, via a force main, to a discharge manhole, from where the wastewater would flow by gravity to the WWTF.

The sizes of the pipes for the wastewater collection system were estimated based on preliminary design peak flow calculations for the

contributing area. The sewer pipes will range in size from a minimum of 8 inches to a maximum of 15 inches. The force main is expected to be 10-inches. The pipe material for both the gravity pipes and the force main will be polyvinyl chloride (PVC).

4. Effluent Reuse/Disposal

The WWTF will produce R-1 Water quality effluent, which allows for spray irrigation reuse with minimal restrictions. The primary method of effluent disposal would be by irrigation. Areas that could be irrigated with the R-1 Water would be parks, common landscape areas and buffer areas.

The total area of the parks and buffer areas in the Wai'ale Project District South is 17.1 acres. Assuming an average irrigation rate of 0.25 inch per day, the average irrigation demand would be approximately 90,000 gpd. The required area to dispose of all of the effluent from the WWTF (approximately 320,000 gpd) would be 47 acres. The expectation is that all of the effluent produced by the WWTF will be used for irrigation, except during significant rain events. Therefore, additional off-site areas for reuse irrigation, such as agricultural land, will be required. The reuse of effluent for irrigation would be implemented in consultation with all applicable parties. Separate distribution irrigation waterlines will be required to convey the R-1 Water to the irrigation reuse areas.

During rainy weather when effluent irrigation is not required, a backup system of effluent disposal will be required. One option is to use injection wells, sized to handle the peak effluent flow from the WWTF, for backup disposal of the effluent. The anticipated peak flow to the WWTF is calculated to be approximately 1.6 mgd. However, flow equalization will be incorporated into the design of the WWTF to dampen the peak flow of wastewater into the WWTP, thus reducing the peak flow of effluent out of the WWTP to the injection wells.

The project site is located below the Underground Injection Control (UIC) Line, under which disposal of effluent via an injection well(s) is allowed by the State of Hawaii Department of Health (DOH). However,

any injection well(s) would need to be located a minimum of 1/4 mile from any existing potable water wells.

Another option for backup disposal of the effluent during periods when the irrigation system is not in operation is to store the effluent in a reservoir. The DOH guidelines state that the storage reservoir should be of adequate size to store 20 days of effluent. However, this time period is subject to reduction, expansion, or elimination if it can be demonstrated to the satisfaction of the DOH that another time period is adequate or that less or no storage is needed. Per DOH requirements, the reservoir needs to have an impermeable liner to prevent the R-1 Water from percolating into the ground, as well as have to be completely fenced with posted warning signs.

After the R-1 Water has been stored in the backup reservoir, the R-1 Water would be filtered to remove any algae growth that may have occurred during storage. A booster pump system would pump the R-1 Water from the storage reservoir through pressure filters. The filtered water would then be discharged into the R-1 Water Tank/Reservoir, prior to being pumped into the distribution system. Alternatively, the water stored in the reservoir could be pumped into the Non-compliant Water Tank – or even directly to the headworks of the WWTF – if re-treatment is deemed appropriate.

H. ELECTRICAL SYSTEM

The most logical point of connection to MECO's electrical system would be at the Consolidated Baseyards Subdivision. Further analysis of the project's electrical loads will be undertaken as part of the detailed engineering design process for this project to determine whether the existing line can be extended and if a substation is needed.

Other possible options for providing electrical service would be to extend MECO's primary overhead lines down Waiko Road from Waiale Drive, or to extend their lines from the intersection of Maui Lani Parkway and Kuihelani Highway.

New primary and secondary distribution lines within the project area will be placed underground. Service tails will be provided at the property line for service to the individual property owners.

A&B will be responsible for installing the underground ducts and infrastructure that MECO will need to accommodate this project. Utility easements will be required for all of MECO's infrastructure and access roads that fall within private property.

At this time, MECO is unable estimate charges and cost to serve this project without detailed plans.

I. TELEPHONE SYSTEM

Hawaiian Telcom (HTCOM) has stated that there is sufficient plant facilities to serve the project area. The service route will follow MECO's underground route. Pair gain equipment will be installed to provide telecommunication services which will be fed by a fiber cable and act as a hub for the distribution of all of HTCOM's telecommunication services within this project. Underground telephone support structures will be provided and will be installed at A&B's expense.

Design of the underground support structures will be dependent on the easement location with entry from Waiko Road. Telephone cables will be installed at HTCOM's expense with customers responsible for service connections and monthly rental fees. HTCOM plans to provide fiber optic (FO) cable for each service instead of copper cables as they have in the past. This will allow the telephone company customer to obtain telephone, data and CATV services. Service tails will be provided at the property line for service to the individual property owners.

Similar to MECO, easements will be required for all of HTCOM's infrastructure and access roads that falls within private property. Preferred easement location for pair gain equipment will be transmitted upon receipt of information from its planning department when detailed plans are available.

J. CABLE SYSTEM

Oceanic Time Warner (TW) has facilities on the poles along Lower East Waiko Road and underground facilities at the entry of Consolidated Baseyards Subdivision, similar to MECO and HTCO. Therefore, the most logical point of connection to TW's cable system would be at the Consolidated Baseyards Subdivision. TW would like 3-inch conduits along the main streets and 2-inch conduits for street crossings. TW will need two power supply pads which they will designate when detailed plans become available. Installation of cable infrastructures will be at the expense of A&B while the actual cable installation will be done at Oceanic's cost.

K. STREET LIGHTING

Conventional street lighting will be utilized for illumination of streets and sidewalks. The streets will be dedicated to the County of Maui and the street lighting poles and fixtures will be provided by MECO.

V. CONCLUSION

The proposed improvements for this project will be designed in accordance with the applicable rules and regulations of the County of Maui and the State of Hawaii. Utility company infrastructure upgrades will comply with MECO, HTCOM, and TW requirements and regulations. The Department of Public Work (DPW) Storm Drainage Rules require mitigation of the increase in stormwater runoff between the post-development conditions and pre-development conditions. Since the Wai'ale South stormwater management plan results in a net decrease in stormwater runoff, the project exceeds DPW requirements. Erosion control and water quality measures will be provided to minimize pollution during and after construction. Water, Sewer, Roadway, and Electrical designs are sufficient to serve the proposed project.

A new source of water will be required for the Wai'ale Project District South project. The proposed project will require approximately 590,000 gpd of water to meet estimated average daily demands, and a new 1.0 Million Gallon (MG) Storage Reservoir will be required. The new 1.0 MG Reservoir would be adjacent to the existing 300,000-gallon Waikapu Reservoir. A new 12-inch transmission line will connect to the existing



12-inch transmission line servicing the Waiko Baseyard. A new distribution system, primarily comprised of 12-inch waterlines, will be required within the project area.

The on-site wastewater collection system will essentially follow the proposed roadway systems of the project. The network of primarily 8-inch gravity sewer lines will collect wastewater from the project site. A portion of the development will require a pump station to transfer the wastewater to a high point where gravity will then collect and transfer the wastewater from the project site to the proposed WWTF.

Based on the information presented in this report, this project will have no adverse effects on the existing facilities or on the surrounding environment.

REFERENCES:

1. Department of Public Works & Waste Management, County of Maui. (November, 1995). *Rules for the Design of Storm Drainage Facilities in the County of Maui*, Title MC-15, Subtitle 01, Chapter 4.
2. Department of Public Works & Waste Management, County of Maui. (November 9, 2012). *Rules for the Design of Storm Water Treatment Best Management Practices*, Title MC-15, Subtitle 01, Chapter 111.
3. County of Maui, Wastewater Reclamation Division. (February 2006). *Wastewater Flow Standards*.
4. Water System Standards, State of Hawaii, 2002.
5. Design Standards, Division of Wastewater Management, Vol. 1, February 1984.
6. USDA, Natural Resources Conservation Service (formerly Soil Conservation Service) in Cooperation with the University of Hawaii Agricultural Experiment Station. (August, 1972). *Soil Survey of Island of Kauai, Oahu, Maui, Molokai, and Lanai, State of Hawaii*.
7. Federal Emergency Management Agency. (September 25, 2009). *Flood and Insurance Rate Map, Maui County, Hawaii*. Map Numbers: 1500030393E and 1500030394E.
8. National Oceanic and Atmospheric Administration, National Weather Service. NOAA Precipitation Data Server. Available online at: http://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_hi.html, Accessed 06/18/2014.
9. Giambelluca TW, Chen Q, Frazier AG, Price JP, Chen Y-L, Chu P-S, Eischeid J., and Delparte, D. 2011. *The Rainfall Atlas of Hawai'i*. Available online at <http://rainfall.geography.hawaii.edu>. Accessed 10/21/2014.
10. Parsons Brinckerhoff, Inc. (September 14, 2001). *Project Plans: Kuihelani Highway Widening, Honoapiilani Highway to Puunene Avenue, Federal Aid Project No.: NH-0380(9)*.
11. Tom Nance Water Resource Engineering. (September 16, 2009, Revised September 25, 2009). *Engineering Report for Wai'ale Well 2 (State No. 5129-05) as a New Drinking Water Source, Kahului, Maui, Hawaii*.

TRAFFIC IMPACT ANALYSIS REPORT WAIALE PROJECT DISTRICT - SOUTH AREA

WAIKAPU, MAUI, HAWAII

DRAFT FINAL

January 20, 2015

Prepared for:

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WAIALE PROJECT DISTRICT - SOUTH AREA TRAFFIC IMPACT ANALYSIS REPORT

Waikapu, Maui, Hawaii

1. INTRODUCTION

The Waiale Development Traffic Impact Analysis Report (TIAR) published in March 2011 by ATA included the full buildout of the Waiale Development, with a mixture of approximately 2,550 single-family and multi-family dwellings as well as commercial, light industrial, parks, and a school on approximately 550 acres of land. This TIAR includes only the proposed South Area, which consists of a portion of the full buildout on lands south of East Waiko Road, totaling approximately 123 acres.

This report documents the findings of a traffic study conducted by Austin, Tsutsumi & Associates, Inc. (ATA) to evaluate the potential traffic impacts resulting from the proposed Waiale Project District - South Area (hereinafter referred to as the 'Project'), located in Waikapu, Maui, Hawaii.

1.1 Location

The Project is located in the vicinity of Waikapu, a primarily residential and agricultural area with some light industrial and commercial uses. The Project site is located west of Kuihelani Highway between Waikapu Stream and East Waiko Road and is more specifically identified as TMKs: (2) 3-8-005:037 and 040 (por.). See Figure 1.1 for the Project location map and Figure 1.2 for the Project site plan.

The Project will provide direct vehicular access to the site via three proposed intersections along East Waiko Road, as well as an unsignalized access via Kuihelani Highway. The two signalized Project access driveways along East Waiko Road are currently planned to be aligned with the access driveways for the proposed Waiko Baseyard Light Industrial Development, adjacent to the Project and north of East Waiko Road. The third Project access driveway along East Waiko Road is proposed to be located further west, before Waiale Road, and operate as a two-way stop-controlled, T-intersection.

LEGEND

Land Use

- R Residential District
- VMX Village Mixed Use District
- PK Park/Open Space
- Project District Boundary



Disclaimer:

It should be noted that this conceptual plan is preliminary and subject to further analysis and review by applicable government agencies, and as such are subject to further revision as the planning and design of the project progresses.



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ENGINEERS, SURVEYORS • HONOLULU, HAWAII

WAI'ALE DEVELOPMENT

PROJECT SITE PLAN

FIGURE

1.2

1.2 Project Description

Within the Waiale Project District - South Area, A&B Properties Inc. plans to develop a mixture of approximately 950 single-family and multi-family dwellings as well as approximately 100,000 square feet (SF) of village mixed-use (VMX) commercial development. The Project also plans to include land set aside for park space.

2. STUDY METHODOLOGY

Level of Service (LOS) is a qualitative measure used to describe the conditions of traffic flow at intersections, with values ranging from free-flow conditions at LOS A to congested conditions at LOS F. The Highway Capacity Manual's (HCM), dated 2010, methods for calculating volume to capacity ratios, delays and corresponding Levels of Service were utilized in this study. LOS definitions for signalized and unsignalized intersections are provided in Appendix B.

2.1 Intersection Analysis

For applicable intersections as determined in Section 2.2, intersection analysis was performed using the traffic analysis software Synchro, which prepares traffic analysis reports based on HCM 2010 methodology. The reports contain quantitative delay results, which are based on intersection lane geometry, signal timing (including coordination and actuated minimums and maximums), and hourly traffic volume.

Based on the vehicular delay, reserve capacity and critical gaps at the intersection, a LOS is assigned (see Appendix B) as a qualitative measure of performance. These results constitute the technical analysis that will form the basis of the recommendations outlined in this report.

2.2 Study Area Intersection Analysis

Intersection analysis within the study area was performed on the following intersections due to their proximity to the Project:

- Kuikahi Drive/Honoapiilani Highway (Signalized)
- Kuikahi Drive/Waiale Road (Signalized)
- Maui Lani Parkway/Kamehameha Avenue (Unsignalized)
- Maui Lani Parkway/Kuihelani Highway (Signalized)
- East Waiko Road/Honoapiilani Highway (Signalized)
- East Waiko Road/Waiale Road (Unsignalized)
- East Waiko Road/Kuihelani Highway (Signalized)

3. EXISTING TRAFFIC CONDITIONS

3.1 Roadway Network

The following are brief descriptions of the existing roadways studied within the vicinity of the Project:

Honoapiilani Highway is a north-south, two-way, two-lane, undivided State highway that extends from West Maui to Wailuku where it continues as South High Street. This roadway has posted speed limits ranging between 30 mph and 45 mph in the vicinity of the Project, and generally provides exclusive left-turn lanes and channelized right turns at its major intersections.

Kuihelani Highway is a north-south, two-way, four-lane, divided State highway that extends north from Honoapiilani Highway near Maalaea to Puunene Avenue where it continues as Dairy Road. This roadway has posted speed limits ranging between 45 mph and 55 mph in the vicinity of the Project and generally provides exclusive left-turn lanes and channelized right turns at its major intersections.

Kuikahi Drive is an east-west, two-way, two-lane County collector roadway that extends to the west from Maui Lani Parkway to Wailuku Heights. This roadway has a posted speed limit of 30 mph and is undivided to the west of Waiale Road and divided to the east.

Waiale Road is a north-south, two-way, two-lane County collector roadway that extends to the north from East Waiko Road to Main Street in Wailuku where it continues as Lower Main Street. This roadway has a posted speed limit of 20 mph.

Maui Lani Parkway is an east-west, two-way, two-lane, County collector roadway that extends to the west from Kuihelani Highway to Kuikahi Drive. This roadway has a posted speed limit of 20 mph and is divided to the west of Kamehameha Avenue and undivided to the east. The segment between Kuikahi Drive and Puumele Street is currently not constructed.

Kamehameha Avenue is a north-south, two-way, two-lane, undivided County collector roadway that extends to the south from Hana Highway in Kahului to Pomaikai Elementary School. This roadway has a posted speed limit of 20 mph within the vicinity of the Project.

East Waiko Road is an east-west, two-way, two-lane County collector roadway that extends to the west from Kuihelani Highway to Honoapiilani Highway where it continues as West Waiko Road. This roadway has a posted speed limit of 20 miles per hour (mph) to the west of Pakana Street and 30 mph to the east.



3.2 Existing Traffic Volumes

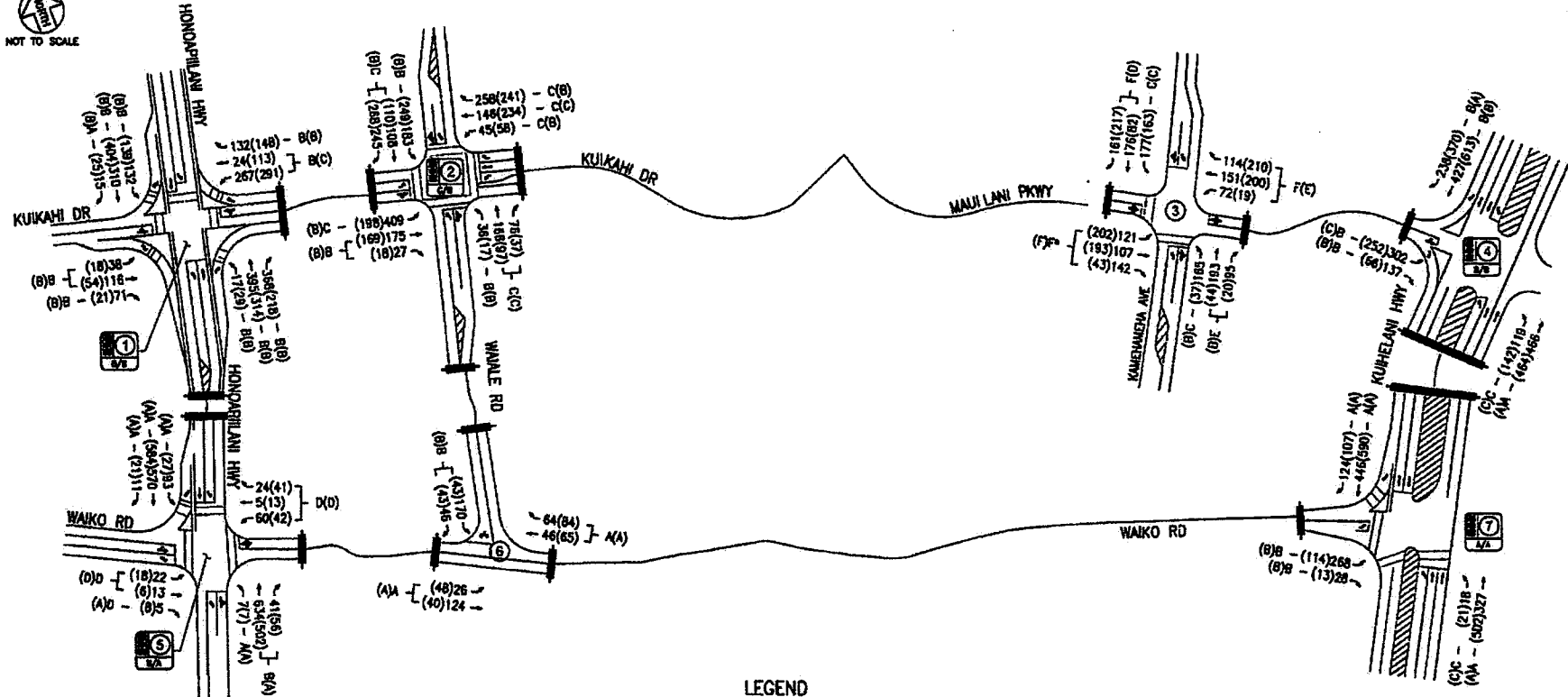
The hourly traffic volume data utilized in this report were collected on Wednesday, January 23 and Thursday, January 24, 2013. In the vicinity of the Project, most major intersections along Kuikahi Drive, Maui Lani Parkway, and East Waiko Road from Honoapiilani Highway to Kuihelani Highway were studied. See the traffic count data provided in Appendix A for the existing intersections studied and their corresponding traffic count data.

Based on the traffic count data, the weekday morning and afternoon peak hours of traffic were determined to occur between 7:00 AM and 8:00 AM and between 4:00 PM to 5:00 PM, respectively.

3.3 Existing Traffic Conditions Analysis and Observations

Overall, all of the movements at each study intersection currently operate at LOS D or better during the AM and PM peak hours of traffic, with vehicle-to-capacity (v/c) ratios operating under 1.0. However, the all-way stop-controlled (AWSC) Maui Lani Parkway/Kamehameha Avenue intersection currently operates at LOS E/F and near/over-capacity conditions for several movements during the AM and PM peak hours of traffic. A traffic signal system and modified lane configurations are currently being designed at the intersection and is anticipated to be completed prior to implementation of the proposed Project.

Figure 3.1 illustrates the existing lane configuration, existing traffic volumes, and LOS for each study intersection. Table 3.1 summarizes the existing LOS at the study intersections. LOS worksheets are provided in Appendix C.



NOTE:
THIS DRAWING IS FOR
ILLUSTRATIVE PURPOSES ONLY.
DO NOT USE FOR CONSTRUCTION.

LEGEND

- 1K(P) - AM(PM) PEAK HOUR OF TRAFFIC VOLUMES
- X(X) - AM(PM) LOS
- SIGNALIZED INTERSECTION Y, OVERALL AM/PM LOS
- INTERSECTION Y

DATE OF COUNTS:
JANUARY 23-24, 2013
AM PEAK HOUR:
7:00 AM - 9:00 AM
PM PEAK HOUR:
4:00 PM - 6:00 PM

WAIKALE DEVELOPMENT

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EXISTING LANE CONFIGURATION, TRAFFIC VOLUMES AND LOS

FIGURE

3.1

Table 3.1: Existing Conditions LOS

Intersection	Existing Conditions					
	AM			PM		
	HCM Delay	v/c Ratio	LOS	HCM Delay	v/c Ratio	LOS
<u>Honoapiilani Hwy & Kulkahi Dr</u>						
FB LT/TH	17.0	0.28	B	14.5	0.12	B
EB RT	14.8	0.05	B	12.6	0.01	B
WB LT/TH	20.0	0.63	B	20.2	0.73	C
WB RT	12.8	0.10	B	11.2	0.10	B
NB LT	11.0	0.04	B	14.1	0.09	B
NB TH	16.9	0.61	B	19.5	0.56	B
NB RT	12.9	0.21	B	15.4	0.12	B
SB LT	11.0	0.33	B	13.3	0.34	B
SB TH	12.5	0.42	B	18.5	0.63	B
SB RT	9.7	0.01	A	12.7	0.02	B
Overall	15.5	--	B	17.9	--	B
<u>Waiale Rd & Kulkahi Dr</u>						
EB LT	21.4	0.75	C	14.6	0.49	B
EB TH/RT	16.8	0.35	B	16.5	0.38	B
WB LT	23.2	0.15	C	16.5	0.14	B
WB TH	28.9	0.60	C	22.5	0.66	C
WB RT	25.2	0.15	C	18.4	0.13	B
NB LT	19.7	0.12	B	19.4	0.06	B
NB TH/RT	25.6	0.64	C	22.5	0.45	C
SB LT	17.4	0.49	B	15.2	0.52	B
SB TH/RT	21.1	0.59	C	18.5	0.63	B
Overall	21.7	--	C	18.0	--	B
<u>Kamehameha Ave & Maui Lani Pkwy</u>						
EB LT/TH/RT	76.4	1.01	F*	58.2	0.95	F
WB LT/TH/RT	61.9	0.92	F	46.9	0.90	E
NB LT	22.4	0.50	C	13.8	0.11	B
NB TH/RT	41.5	0.80	E	13.7	0.18	B
SB LT	23.3	0.53	C	17.7	0.43	C
SB TH/RT	60.7	0.91	F	25.5	0.68	D
<u>Kulihelani Hwy & Maui Lani Pkwy</u>						
EB LT	17.7	0.75	B	21.7	0.76	C
EB RT	14.2	0.38	B	16.7	0.22	B
NB LT	25.9	0.76	C	26.9	0.76	C
NB TH	5.9	0.27	A	4.8	0.24	A
SB TH	11.3	0.39	B	11.3	0.47	B
SB RT	10.1	0.12	B	9.8	0.19	A
Overall	12.3	--	B	12.5	--	B

Table 3.1: Existing Conditions LOS (cont.)

Intersection	Existing Conditions					
	AM			PM		
	HCM Delay	v/c Ratio	LOS	HCM Delay	v/c Ratio	LOS
Honoapiilani Hwy & Waliko Rd						
EB LT/TH	40.5	0.12	D	36.4	0.15	D
EB RT	39.1	0.00	D	0.0	0.00	A
WB LT/TH/RT	43.3	0.32	D	38.2	0.37	D
NB LT	7.2	0.01	A	3.0	0.01	A
NB TH/RT	14.7	0.63	B	5.9	0.46	A
SB LT	8.2	0.21	A	3.4	0.05	A
SB TH	1.1	0.48	A	1.0	0.46	A
SB RT	0.0	0.01	A	0.0	0.01	A
Overall	11.0	--	B	5.6	--	A
Waliko Rd & Walale Rd						
EB LT/TH	7.5	0.02	A	7.6	0.04	A
WB TH/RT	0.0	0.00	A	0.0	0.00	A
SB LT-RT	12.1	0.32	B	10.1	0.12	B
Kulihelani Hwy & Waliko Rd						
EB LT	15.6	0.78	B	17.5	0.61	B
EB RT	12.0	0.04	B	15.3	0.02	B
NB LT	23.7	0.56	C	23.6	0.57	C
NB TH	4.8	0.19	A	3.3	0.25	A
SB TH	8.2	0.34	A	6.1	0.36	A
SB RT	3.1	0.08	A	3.0	0.07	A
Overall	8.9	--	A	6.3	--	A

4. BASE YEAR 2023 TRAFFIC CONDITIONS

The Year 2023 was selected to reflect the completion year of the Project. Traffic projections were formulated by applying a defacto growth rate to the existing 2013 traffic count volumes and trips generated by known developments in the vicinity of the Project.

4.1 Defacto Growth Rate

Projections for Base Year 2023 traffic were based upon existing traffic counts performed by ATA, the Maui Regional Travel Demand Model (MRTDM) growth for forecast years of 2020 and 2035 and nearby developments in the immediate vicinity of the Project. The resulting growth rates along study roadways ranged from 1.6 to 1.9 percent per year, with the exception of Waiko Road. Due to the numerous proposed developments along Waiko Road, traffic generated by developments fronting Waiko Road were manually added to the roadway network and supplemented by a 1.5 percent annual growth rate.

4.2 Traffic Forecasts for Known Developments

By the year 2023, the Wailuku/Waikapu area will have experienced significant growth, both in its residential population and commercial/industrial/business land uses, primarily as a result of the following developments, which are also shown in Figure 4.1:

- **Kehalani Residential/Village Center Development** - Partially completed master-planned community. Growth is accounted for in the MRTDM.
- **Maui Lani Residential/VMX Development** - Partially completed master-planned community. Growth is accounted for in the MRTDM.
- **Puunani Residences** - Proposed residential development, which has not been constructed. Growth is accounted for in the MRTDM.
- **Waikapu Country Town (WCT)** - Proposed residential/commercial development, which has not been constructed. Growth is accounted for in the MRTDM.
- **Waikapu Light Industrial Project** - Proposed industrial development along Waiko Road, which has not been constructed. Traffic growth generated by Waikapu Light Industrial Project, supplemented to the roadway network.
- **Waiko Baseyard Light Industrial Development** - Proposed industrial development along Waiko Road, which has not been constructed. Traffic growth generated by Waiko Baseyard Light Industrial Development, supplemented to the roadway network.
- **Central Maui Regional Sports Complex (CMRSC)** - Proposed regional park development, which has not been constructed. Traffic growth generated by CMRSC, supplemented to the roadway network.

4.3 Planned Roadway Projects

The following roadway projects are currently planned improvements and/or proposed improvements that are anticipated to be implemented in conjunction with the construction of known developments in the region.

4.3.1 Maui Lani Parkway/Kamehameha Avenue Signalization

The Maui Lani Parkway/Kamehameha Avenue intersection currently operates as an all-way stop controlled (AWSC) intersection. Intersection laneage modifications and a traffic signal system is currently being designed for the intersection. Based on our understanding of the intersection design, the following improvements were assumed completed by Year 2023:

- Traffic signal system with exclusive left-turn, exclusive through and exclusive right-turn lanes along all approaches.

4.3.2 Waiko Baseyard Light Industrial Development Driveways

With the construction of the Waiko Baseyard Light Industrial Development, two (2) new driveways are proposed to be constructed for this development, and are assumed to be located across the future Waiale Development driveways. For purposes of this TIAR, the easternmost driveway will be referred to as "Road B" while the westernmost driveway will be referred to as "Road F". Based on the Waiko Road Light Industrial Park TIAR conducted by Phillip Rowell and Associates, dated May 17, 2011, the following improvements were assumed for the two driveways:

East Waiko Road/Road F intersection

- Unsignalized control, with the southbound approach as the stopped approach.
- Eastbound Approach: Shared through/left-turn lane.
- Westbound Approach: Shared through/right-turn lane.
- Southbound Approach: Shared left-turn/right-turn lane.

East Waiko Road/Road B intersection

- Unsignalized control, with the southbound approach as the stopped approach.
- Eastbound Approach: Exclusive left-turn and exclusive through lane.
- Westbound Approach: Exclusive through lane and exclusive right-turn lane.
- Southbound Approach: Exclusive left-turn and exclusive right-turn lane.
 - Construct a median acceleration lane to facilitate left-turn traffic coming out of the southbound approach.

4.4 Base Year 2023 Analysis

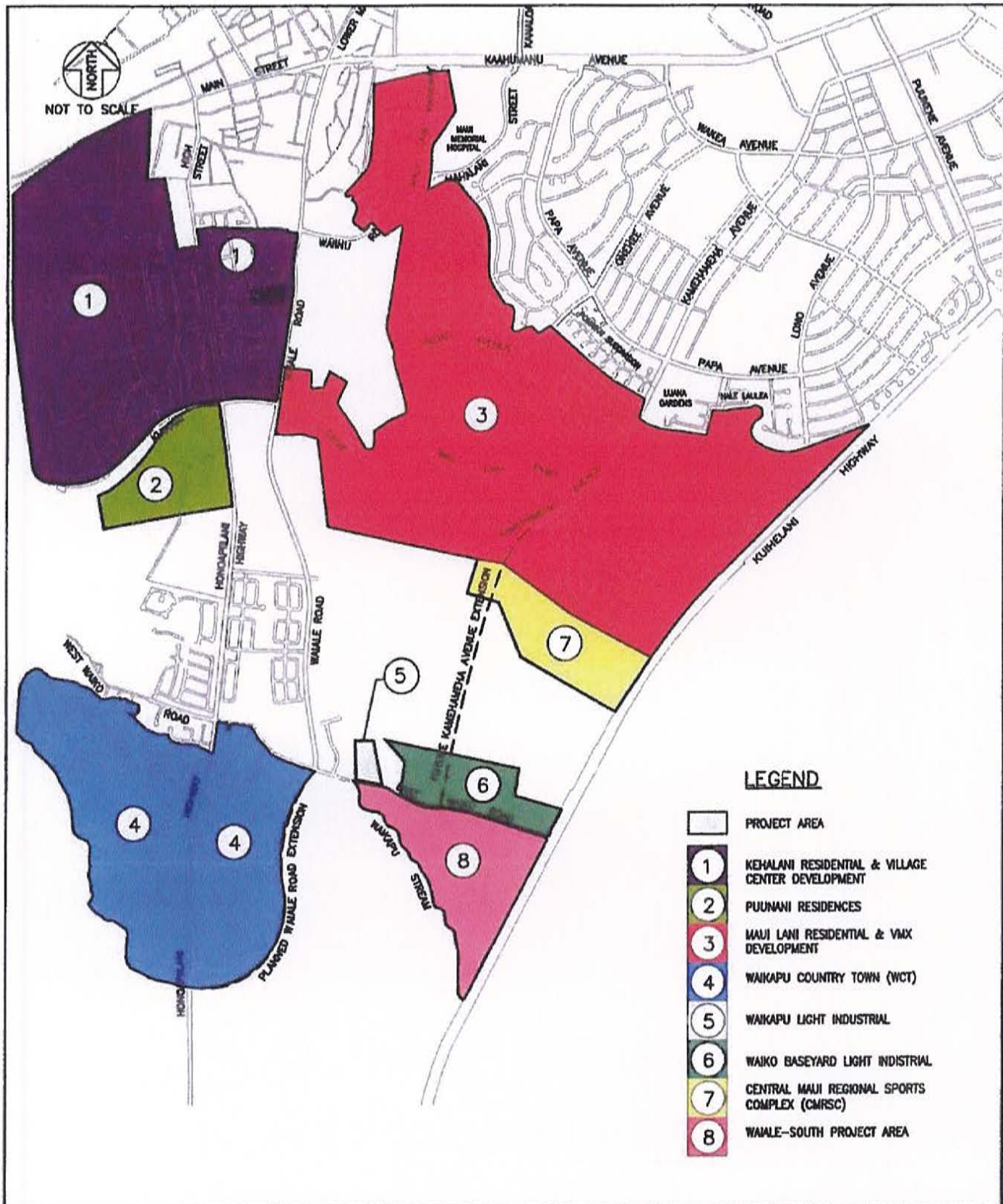
All study intersections are forecast to operate with movements at LOS D or better with the exception of the following intersections:

East Waiko Road/Road B - This proposed unsignalized T-intersection with exclusive turning lanes on each approach would serve the Waiko Road Baseyard Light Industrial Development. By the year 2023, the southbound left-turn movement is forecast to operate at LOS E during the PM peak hour. The Waiko Road Light Industrial Park TIAR recommended a median left-turn refuge lane to facilitate southbound left-turns onto East Waiko Road and reduce left-turn delays. Based on a peak hour signal warrant study for the Base Year 2023 condition, the intersection will likely warrant a signal. With a traffic signal installed, the intersection is forecast to operate at



overall LOS B or better during the AM and PM peak hours of traffic with all movements operating at LOS C or better.

Figure 4.2 illustrates the Base Year 2023 forecast traffic volumes and LOS for the study intersection movements. Table 4.1 summarizes the Base Year 2023 LOS at the study intersections with and without the recommended mitigation. LOS worksheets are provided in Appendix C.



WAIKALE DEVELOPMENT

ATA AUSTIN, TSUTSUMI & ASSOCIATES, INC.
ENGINEERS, SURVEYORS HONOLULU, HAWAII

BACKGROUND PROJECTS IN PROJECT VICINITY

FIGURE

4.1

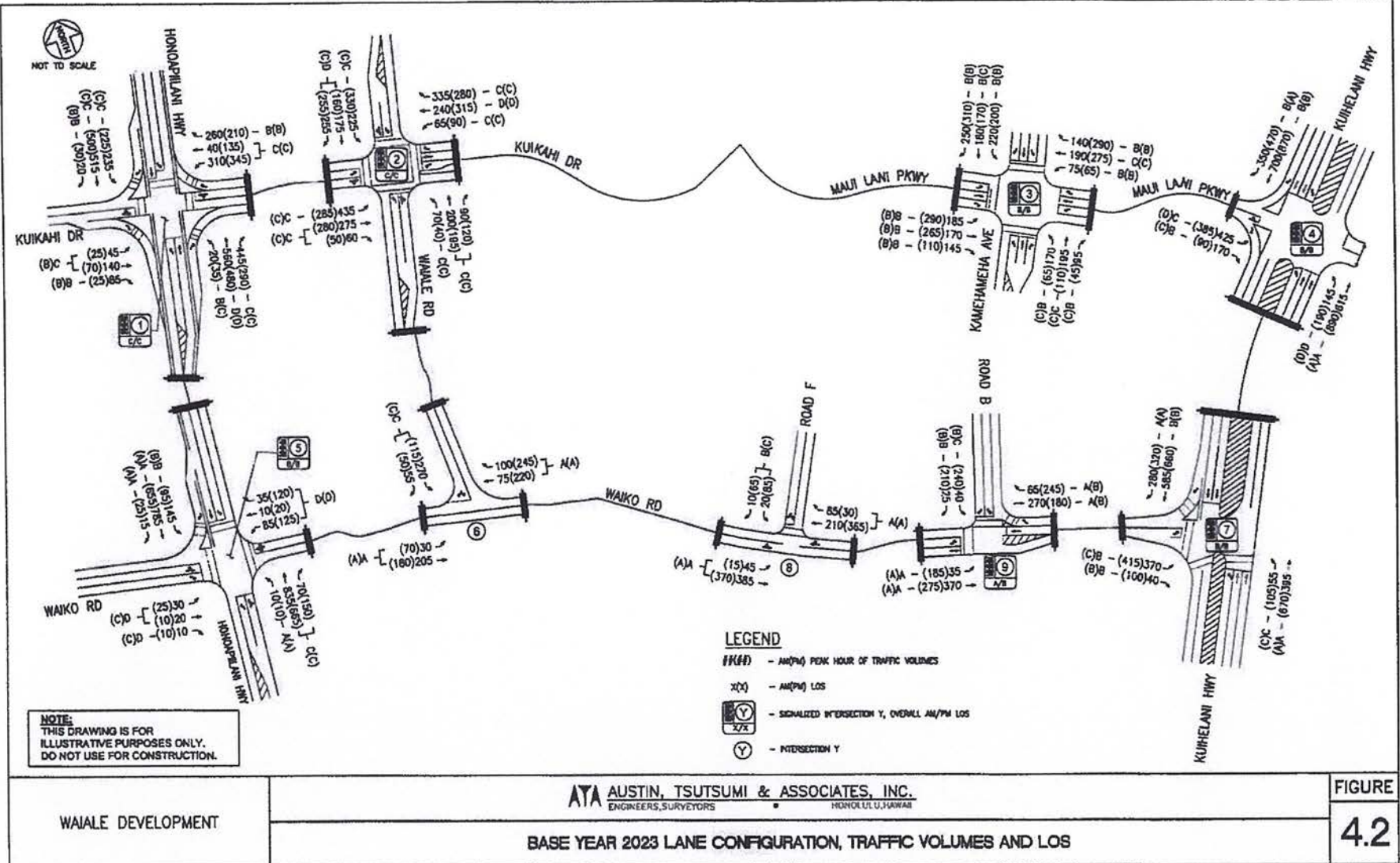


Table 4.1: Base Year 2023 Conditions LOS - With and Without Mitigation

Intersection	Base Year 2023 Conditions - without Mitigation						Base Year 2023 Conditions - with Mitigation					
	AM			PM			AM			PM		
	HCM Delay	v/c Ratio	LOS	HCM Delay	v/c Ratio	LOS	HCM Delay	v/c Ratio	LOS	HCM Delay	v/c Ratio	LOS
Honoapiʻilani Hwy & Kulaehi Dr												
EB LT/TH	21.6	0.29	C	19.0	0.14	B						
EB RT	18.0	0.04	B	16.2	0.01	B						
WB LT/TH	30.3	0.75	C	34.8	0.83	C						
WB RT	15.7	0.31	B	13.7	0.19	B						
NB LT	17.6	0.07	B	20.1	0.13	C						
NB TH	39.2	0.88	D	36.8	0.82	D						
NB RT	23.1	0.51	C	24.0	0.36	C						
SB LT	29.7	0.79	C	26.3	0.72	C						
SB TH	21.6	0.68	C	26.2	0.70	C						
SB RT	13.3	0.01	B	16.2	0.02	B						
Overall	27.4	--	C	29.0	--	C						
Waiale Rd & Kulaehi Dr												
EB LT	27.4	0.85	C	33.7	0.82	C						
EB TH/RT	22.0	0.63	C	27.3	0.65	C						
WB LT	27.2	0.21	C	22.9	0.30	C						
WB TH	38.5	0.80	D	36.9	0.81	D						
WB RT	30.5	0.20	C	24.9	0.07	C						
NB LT	24.9	0.34	C	21.8	0.15	C						
NB TH/RT	31.2	0.68	C	29.3	0.70	C						
SB LT	25.3	0.68	C	34.2	0.84	C						
SB TH/RT	37.6	0.85	D	23.5	0.69	C						
Overall	30.1	--	C	30.0	--	C						
Kamohamoha Ave & Maui Lani Pkwy												
EB LT/TH/RT	77.0	1.37	F*	73.1	1.67	F*	--	--	--	--	--	--
EB LT	--	--	--	--	--	--	14.8	0.46	B	14.8	0.63	B
EB TH	--	--	--	--	--	--	17.4	0.40	B	15.0	0.43	B
EB RT	--	--	--	--	--	--	15.6	0.09	B	12.7	0.08	B
WB LT/TH/RT	78.7	1.11	F*	72.0	1.52	F*	--	--	--	--	--	--
WB LT	--	--	--	--	--	--	16.8	0.19	B	15.6	0.16	B
WB TH	--	--	--	--	--	--	22.0	0.61	C	21.7	0.66	C
WB RT	--	--	--	--	--	--	18.2	0.04	B	18.3	0.26	B
NB LT	23.7	0.52	C	15.5	0.20	C	15.4	0.39	B	21.2	0.20	C
NB TH/RT	45.0	0.82	E	19.6	0.44	C	--	--	--	--	--	--
NB TH	--	--	--	--	--	--	21.8	0.61	C	25.6	0.60	C
NB RT	--	--	--	--	--	--	18.1	0.05	B	22.8	0.07	C
SB LT	30.5	0.66	D	23.2	0.56	C	15.4	0.50	B	18.7	0.49	B
SB TH/RT	76.0	1.16	F*	72.3	1.16	F*	--	--	--	--	--	--
SB TH	--	--	--	--	--	--	19.6	0.49	B	21.2	0.47	C
SB RT	--	--	--	--	--	--	16.9	0.05	B	19.3	0.16	B
Overall	--	--	--	--	--	--	17.9	--	B	18.6	--	B
Kulaehi Hwy & Maui Lani Pkwy												
EB LT	28.7	0.86	C	38.0	0.88	D						
EB RT	19.3	0.39	B	23.5	0.23	C						
NB LT	35.9	0.78	D	45.2	0.83	D						
NB TH	8.6	0.34	A	8.6	0.45	A						
SB TH	17.1	0.57	B	19.2	0.64	B						
SB RT	14.8	0.26	B	5.7	0.40	A						
Overall	18.2	--	B	18.4	--	B						
Honoapiʻilani Hwy & Waiale Rd												
EB LT/TH	40.7	0.18	D	29.9	0.12	C						
EB RT	38.8	0.03	D	28.4	0.01	C						
WB LT/TH/RT	45.5	0.50	D	41.2	0.72	D						
NB LT	7.3	0.02	A	7.4	0.02	A						
NB TH/RT	24.1	0.85	C	22.6	0.83	C						
SB LT	18.2	0.51	B	14.9	0.37	B						
SB TH	2.4	0.66	A	2.3	0.62	A						
SB RT	0.0	0.01	A	0.0	0.01	A						
Overall	16.8	--	B	17.1	--	B						

Table 4.1: Base Year 2023 Conditions LOS - With and Without Mitigation (cont.)

Intersection	Base Year 2023 Conditions - without Mitigation						Base Year 2023 Conditions - with Mitigation					
	AM			PM			AM			PM		
	HCM Delay	w/c Ratio	LOS	HCM Delay	w/c Ratio	LOS	HCM Delay	w/c Ratio	LOS	HCM Delay	w/c Ratio	LOS
Waialae Rd & Waialae Rd												
EB LT/TH	7.7	0.02	A	8.7	0.07	A	No Mitigation					
WB TH/RT	0.0	0.00	A	0.0	0.00	A						
SB LT/RT	18.7	0.58	C	19.7	0.43	C						
Kuhio Hwy & Waialae Rd												
EB LT	19.2	0.85	B	23.2	0.88	C	No Mitigation					
EB RT	13.8	0.05	B	16.7	0.18	B						
NB LT	28.9	0.75	C	31.4	0.78	C						
NB TH	6.3	0.23	A	6.2	0.37	A						
SB TH	11.1	0.44	B	14.4	0.50	B						
SB RT	3.2	0.18	A	3.8	0.25	A						
Overall	11.8	--	B	13.8	--	B						
Waialae Rd & Road F												
EB LT/TH	8.0	0.04	A	8.2	0.01	A	No Mitigation					
WB TH/RT	0.0	0.00	A	0.0	0.00	A						
SB LT/RT	14.4	0.08	B	19.2	0.39	C						
Waialae Rd & Road B												
EB LT	7.9	0.03	A	8.1	0.15	A	4.7	0.07	A	7.9	0.35	A
EB TH	0.0	0.00	A	0.0	0.00	A	4.1	0.40	A	6.4	0.34	A
WB TH	0.0	0.00	A	0.0	0.00	A	7.3	0.43	A	12.4	0.43	B
WB RT	0.0	0.00	A	0.0	0.00	A	5.9	0.06	A	11.7	0.27	B
SB LT	13.5	0.09	B	39.2	0.74	E	20.5	0.58	C	16.5	0.72	B
SB RT	10.0	0.04	B	10.8	0.27	B	12.4	0.02	B	12.2	0.12	B
Overall	--	--	--	--	--	--	6.2	--	A	10.8	--	B

5. FUTURE YEAR 2023 TRAFFIC CONDITIONS

The Future Year 2023 scenario represents the traffic conditions within the Project study area with the full build-out of the Project.

5.1 Background

The Project currently plans to develop approximately 380 single-family residential units, 570 multi-family residential units, and approximately 100,000 SF of VMX commercial development. The Project also plans to include land set aside for parks, and will be located to the west of Kuihelani Highway, between East Waiko Road and Waikapu Stream.

5.2 Travel Demand Estimations

5.2.1 Transportation Demand Management (TDM) Assumptions

The State of Hawaii Department of Transportation (HDOT) and Maui County provide various TDM programs that promote the use of transit, walking, biking and alternative modes of transportation, to reduce the use of single-occupant vehicles on roadways. TDM measures discussed in this section have only been identified, but conservatively assumed to yield NO vehicular reductions for Project generated traffic.

Maui County, in partnership with Roberts Hawaii currently provides bus service to the major areas in Maui. In the vicinity of the Project, the Maui Bus does not traverse East Waiko Road. However, it currently provides a Lahaina-Wailuku route that stops at the Honoapiilani Highway/Wilikona Place intersection, about 450 feet south of the Honoapiilani Highway/East Waiko Road intersection. The nearest park and ride lots are currently located to the north of the Project, on the southwest corner of the Puunene Avenue/Kuihelani Highway/Dairy Road intersection and to the south of the Project, at the Honoapiilani Highway/North Kihei Road intersection.

HDOT currently provides the Bike Plan Hawaii Master Plan, which identifies proposed bicycle routes that could potentially be implemented in the future. In the vicinity of the study area, Honoapiilani Highway is proposed to be a "signed shared roadway", which is a roadway shared by both vehicles and bicycles, which accommodate bicycles through wider vehicular travel lanes or paved shoulders. Kuihelani Highway is also proposed to provide signed shared roadway use, in addition to a "bike path", which provides an exclusive bikeway separated from vehicular travel lanes by an open space or barrier.

There is currently no bike improvement identified in the HDOT Bike Plan Hawaii Master Plan along East Waiko Road. However, the latest plans for East Waiko Road improvements call for paved shoulders which could provide for signed shared roadway use for bicycles in the future. In addition, sidewalks will be provided along East Waiko Road, fronting the Project site to accommodate local pedestrian traffic in the area.

5.2.2 Trip Generation

The Institute of Transportation Engineers (ITE) publishes a book based on empirical data compiled from a body of more than 4,250 trip generation studies submitted by public agencies, developers, consulting firms, and associations. This publication, titled Trip Generation, 9th Edition, provides trip rates and/or formulae based on graphs that correlate vehicular trips with independent variables. The independent variables can range from Dwelling Units (DU) for

single-family homes to Square-foot Gross Leasable Area (SF GLA) for commercial or office development. These trip rates/formulae and their associated directional distributions were used to estimate the increase in the number of vehicular trips generated by the Proposed Project.

Based on the ITE Trip Generation Handbook, dated June 2004, a 6.5 percent and 10 percent reduction was applied to Project-generated trips during the PM peak hour to account for internal trip and pass-by trip reductions, respectively. See Tables 5.1 and 5.2 for Trip Generation formulae and projections for the full Project.

5.2.3 Trip Distribution & Assignment

Traffic generated by the Project was added to the forecast Base Year 2023 traffic volumes within the vicinity of the Project to constitute the traffic volumes for the Future Year 2023 traffic conditions. Trips generated by the Project were assigned throughout the study area based upon regional origins and destinations as well as existing travel patterns within the vicinity of the Project. The regional distribution was approximated as follows:

- 55% towards the north to Kahului/Wailuku
- 10% towards the Upcountry area
- 20% towards the West Maui area
- 15% towards the South Maui area

Table 5.1: Project Trip Generation Rates

Land Use Type	Independent Variable	AM Peak Hour		PM Peak Hour	
		Rate	% Enter	Rate	% Enter
Single-Family Housing (ITE 210)	Units	a.	25%	b.	63%
Multi-Family Housing (ITE 230)	Units	c.	17%	d.	67%
Village Mixed Use (ITE: 815 AM, 826 PM)	1,000 SF	1.06	68%	e.	44%

Notes:

a. $T = 0.70 \cdot (X) + 9.74$

c. $\ln(T) = 0.80 \cdot \ln(X) + 0.26$

e. $T = 2.40 \cdot (X) + 21.48$

b. $\ln(T) = 0.90 \cdot \ln(X) + 0.51$

d. $\ln(T) = 0.82 \cdot \ln(X) + 0.32$

Table 5.2: New Project Generated Trips

Land Use Designation	Quantity	AM Peak Hour			PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total
Single-Family Housing (ITE 210)	380 Units	69	207	276	221	130	351
Multi-Family Housing (ITE 230)	570 Units	35	173	208	168	83	251
Village Mixed Use (ITE 815 AM, 826 PM)	100,000 SF	72	34	106	115	147	262
Gross Trip Generation	--	176	414	590	504	360	864
Internal Trips	--	--	--	--	(28)	(28)	(56)
Total New Trips	--	176	414	590	476	332	808
Pass-By Trips (10%)	--	--	--	--	(11)	(11)	(22)
Total New Primary Trips	--	176	414	590	465	321	786

Notes:

() = Indicates trip reductions

5.3 Future Year 2023 Analysis

With the Project, the Honoapiilani Highway/East Waiko Road intersection and Kuihelani Highway/East Waiko Road intersection will operate adequately at overall LOS C or better. All movements will operate at LOS D or better and under capacity with v/c ratios at 0.90 or less. No improvements are recommended at these two intersections.

At the East Waiko Road/Waiale Road intersection, the southbound approach is anticipated to operate at LOS E conditions during the PM peak hour, but should operate with a vehicle-capacity ratio of under 0.80. Based on a signal warrant analysis, a traffic signal is not warranted at this intersection.

Upon completion of the Project, along East Waiko Road, Road F and Road B will extend further south to provide access to the Project, creating a four-legged intersection at each location. The East Waiko Road/Road F intersection is recommended to be provided with exclusive left-turn



lanes and shared through and right-turn lanes on each approach. The northbound and southbound left-turn movements are anticipated to operate at LOS F conditions during the PM peak hour, but should operate with a vehicle-capacity ratio of under 0.80. Based on a signal warrant analysis, a traffic signal is not warranted at this intersection.

The East Waiko Road/Road B intersection is recommended to be provided with exclusive left-turn lanes on each approach, while maintaining the exclusive through and right-turn lanes on the westbound approach. This signalized intersection is forecast to operate at overall LOS B or better during the AM and PM peak hours of traffic, with all movements operating at LOS C or better and below capacity.

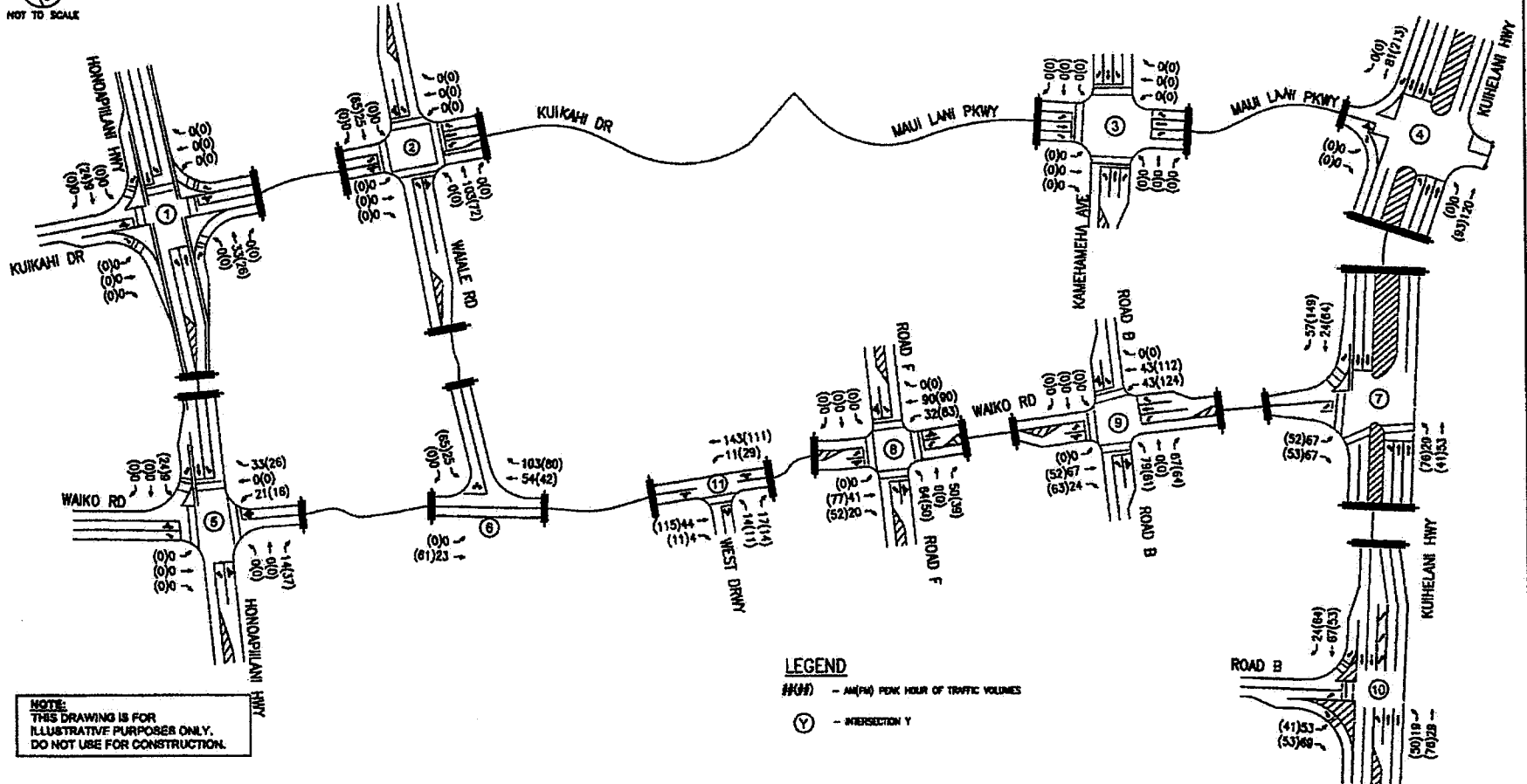
The proposed Kuihelani Highway/Road B Project Access connection, which is proposed to be located approximately 2,500 feet south of the existing Kuihelani Highway/East Waiko Road intersection, was analyzed to include an exclusive eastbound left-turn and exclusive right-turn lane, an exclusive northbound left-turn lane and an exclusive southbound right-turn lane. A left-turn median refuge lane for eastbound vehicles making the left-turn movement onto Kuihelani Highway is also recommended. Based on A Policy on Geometric Design of Highways and Streets, by the American Association of State Highway and Transportation Officials, dated 2011 (hereinafter referred to as the "AASHTO Green Book"), which accounts for vehicular deceleration along the highway, the northbound left-turn lane is recommended to be 650 feet long and the southbound right-turn lane is recommended to be 600 feet long. All movements at this unsignalized intersection are forecast to operate at LOS C or better during the AM and PM peak hours of traffic.

The proposed East Waiko Road/West Driveway intersection between Waiale Road and Road F was analyzed to include single-lane approaches, with the northbound approach stop-controlled. All movements at this unsignalized intersection are forecast to operate at LOS C or better during the AM and PM peak hours of traffic. All other study intersections are forecast to operate with LOS similar to Base Year 2023 with mitigation conditions.

Figure 5.2 illustrates the Future Year 2023 with Project lane configuration, traffic volumes, and LOS for the study intersections and movements. Table 5.3 summarizes the Future Year 2023 with Project without mitigation LOS at the study intersections. Table 5.4 summarizes the Future Year 2023 without and with mitigation conditions LOS at the Kuihelani Highway/East Waiko Road intersection. LOS worksheets are provided in Appendix C.



NOT TO SCALE



WAIALE DEVELOPMENT

ATA AUSTIN, TSUTSUMI & ASSOCIATES, INC.
ENGINEERS, SURVEYORS HONOLULU, HAWAII

PROJECT - GENERATED TRIP DISTRIBUTION

FIGURE

5.1

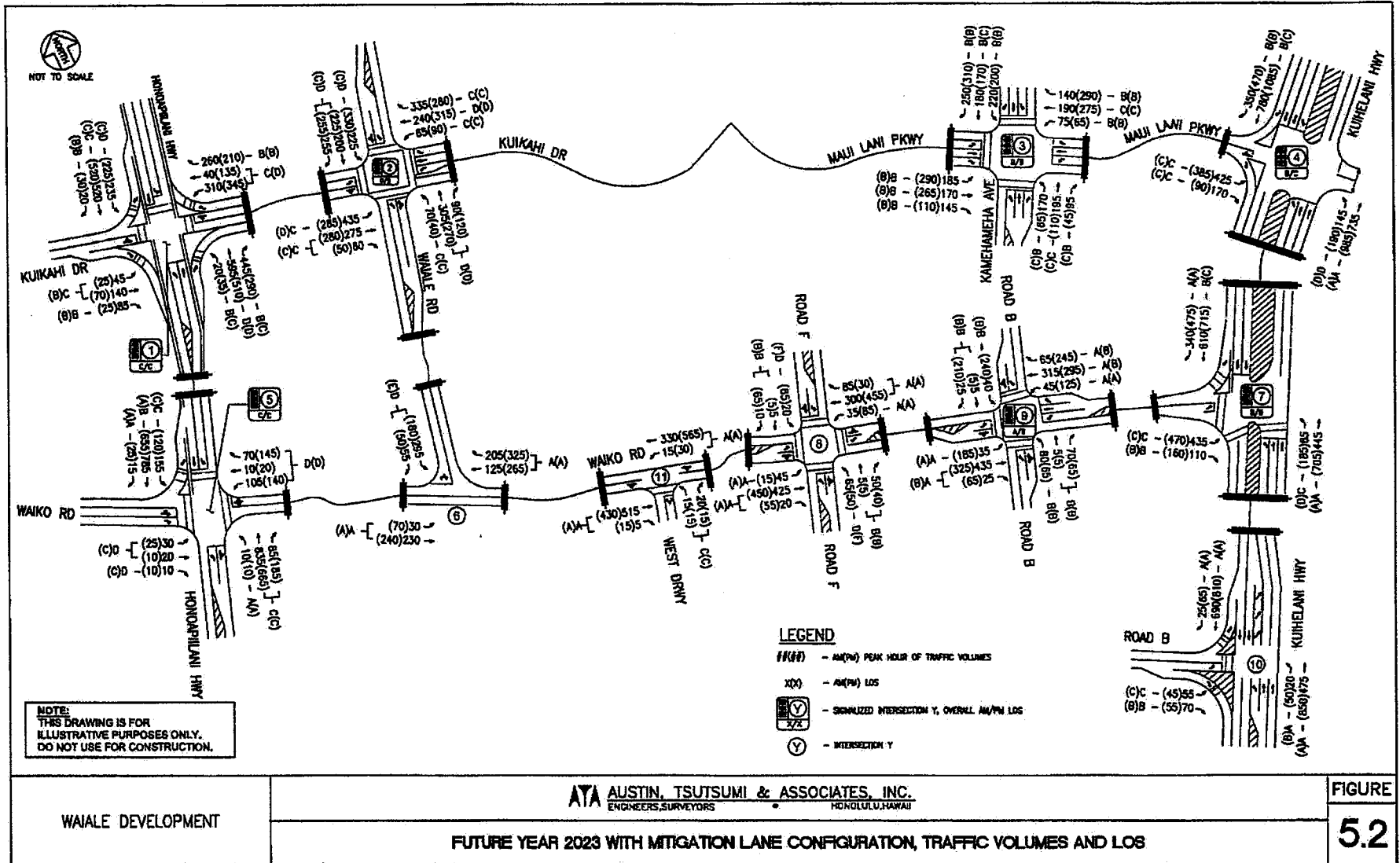


Table 5.3: Future Year 2023 Conditions LOS

Intersection	Future Year 2023 Conditions					
	AM			PM		
	HCM Delay	v/c Ratio	LOS	HCM Delay	v/c Ratio	LOS
<u>Honoapiilani Hwy & Kuikahi Dr</u>						
EB LT/TH	22.0	0.30	C	19.2	0.14	B
EB RT	18.6	0.05	B	16.3	0.02	B
WB LT/TH	31.8	0.76	C	35.1	0.84	D
WB RT	16.5	0.32	B	13.9	0.20	B
NB LT	17.3	0.07	B	20.4	0.14	C
NB TH	42.0	0.91	D	40.9	0.86	D
NB RT	19.6	0.26	B	21.8	0.17	C
SB LT	39.6	0.85	D	30.2	0.76	C
SB TH	21.5	0.66	C	27.3	0.73	C
SB RT	13.3	0.01	B	16.2	0.02	B
Overall	29.6	--	C	30.9	--	C
<u>Waiale Rd & Kuikahi Dr</u>						
EB LT	32.0	0.87	C	38.1	0.81	D
EB TH/RT	24.0	0.54	C	31.0	0.62	C
WB LT	29.5	0.21	C	28.7	0.30	C
WB TH	42.8	0.81	D	44.8	0.82	D
WB RT	34.1	0.33	C	31.4	0.08	C
NB LT	24.9	0.32	C	26.9	0.16	C
NB TH/RT	43.0	0.85	D	48.8	0.86	D
SB LT	38.1	0.81	D	34.5	0.87	C
SB TH/RT	36.7	0.81	D	27.3	0.70	C
Overall	35.1	--	D	36.5	--	D
<u>Kamehameha Ave & Maui Lani Pkwy</u>						
EB LT	14.8	0.46	B	14.6	0.62	B
EB TH	17.4	0.40	B	14.9	0.44	B
EB RT	15.6	0.09	B	12.6	0.07	B
WB LT	16.8	0.19	B	15.6	0.16	B
WB TH	22.0	0.61	C	21.7	0.66	C
WB RT	18.2	0.04	B	17.5	0.12	B
NB LT	15.4	0.39	B	21.1	0.20	C
NB TH	21.8	0.61	C	25.6	0.51	C
NB RT	18.1	0.05	B	22.5	0.03	C
SB LT	15.4	0.50	B	18.7	0.49	B
SB TH	19.6	0.49	B	21.2	0.47	C
SB RT	16.9	0.05	B	18.5	0.05	B
Overall	17.9	--	B	18.4	--	B

Table 5.3: Future Year 2023 Conditions LOS (cont.)

Intersection	Future Year 2023 Conditions					
	AM			PM		
	HCM Delay	v/c Ratio	LOS	HCM Delay	v/c Ratio	LOS
<u>Kuihelani Hwy & Maui Lani Pkwy</u>						
EB LT	32.4	0.87	C	32.3	0.87	C
EB RT	20.9	0.39	C	22.5	0.23	C
NB LT	38.5	0.79	D	42.8	0.83	D
NB TH	9.1	0.40	A	9.1	0.50	A
SB TH	17.9	0.60	B	23.9	0.81	C
SB RT	14.1	0.14	B	15.0	0.21	B
Overall	19.1	--	B	20.8	--	C
<u>Honoapiilani Hwy & Waiko Rd</u>						
EB LT/TH	40.0	0.19	D	33.4	0.11	C
EB RT	38.1	0.03	D	31.7	0.01	C
WB LT/TH/RT	50.8	0.69	D	52.5	0.80	D
NB LT	9.9	0.03	A	9.5	0.02	A
NB TH/RT	26.8	0.88	C	31.0	0.88	C
SB LT	23.2	0.58	C	23.3	0.56	C
SB TH	12.8	0.67	B	2.3	0.62	A
SB RT	5.5	0.01	A	0.0	0.02	A
Overall	23.4	--	C	23.6	--	C
<u>Waiko Rd & Waiiale Rd</u>						
EB LT/TH	8.1	0.03	A	9.2	0.08	A
WB TH/RT	0.0	0.00	A	0.0	0.00	A
SB LT/RT	30.9	0.76	D	45.0	0.77	E
<u>Kuihelani Hwy & Waiko Rd</u>						
EB LT	21.2	0.88	C	25.1	0.90	C
EB RT	14.9	0.17	B	18.0	0.30	B
NB LT	30.8	0.78	C	44.0	0.83	D
NB TH	7.8	0.26	A	9.8	0.40	A
SB TH	13.9	0.48	B	20.8	0.64	C
SB RT	3.5	0.22	A	6.3	0.45	A
Overall	13.7	--	B	17.7	--	B

Table 5.3: Future Year 2023 Conditions LOS (cont.)

Intersection	Future Year 2023 Conditions					
	AM			PM		
	HCM Delay	v/c Ratio	LOS	HCM Delay	v/c Ratio	LOS
Waiko Rd & Road F						
EB LT	8.3	0.04	A	8.5	0.02	A
EB TH/RT	0.0	0.00	A	0.0	0.00	A
WB LT	8.5	0.04	A	8.9	0.09	A
WB TH/RT	0.0	0.00	A	0.0	0.00	A
NB LT	34.0	0.37	D	66.1	0.49	F
NB TH/RT	13.1	0.12	B	14.5	0.11	B
SB LT	28.9	0.13	D	99.4	0.78	F
SB TH/RT	14.5	0.04	B	14.1	0.16	B
Waiko Rd & Road B						
EB LT	5.0	0.06	A	9.2	0.37	A
EB TH/RT	7.9	0.60	A	13.3	0.64	B
WB LT	5.4	0.10	A	9.8	0.30	A
WB TH	6.6	0.40	A	13.3	0.53	B
WB RT	5.3	0.04	A	11.0	0.14	B
NB LT	15.4	0.25	B	14.5	0.15	B
NB TH/RT	14.3	0.10	B	12.8	0.05	B
SB LT	14.9	0.13	B	16.8	0.52	B
SB TH/RT	14.1	0.04	B	13.2	0.14	B
Overall	8.2	--	A	13.0	--	B
Kuihelani Hwy & Road B						
EB LT	18.2	0.18	C	23.6	0.20	C
EB RT	11.6	0.12	B	12.1	0.11	B
NB LT	9.3	0.03	A	10.1	0.07	B
NB TH	0.0	0.00	A	0.0	0.00	A
SB TH	0.0	0.00	A	0.0	0.00	A
SB RT	0.0	0.00	A	0.0	0.00	A
Waiko Rd & West Drwy						
EB TH/RT	0.0	0.00	A	0.0	0.00	A
WB LT/TH	8.6	0.02	A	8.4	0.03	A
NB LT/RT	15.4	0.10	C	18.1	0.11	C



6. CONCLUSIONS

A&B Properties plans to develop a mixture of approximately 950 single-family and multi-family dwellings as well as approximately 100,000 SF of VMX commercial area within the Waiale Project District – South Area by year 2023. The Project will consist of approximately 123 acres of land to the west of Kuihelani Highway between East Waiko Road and Waikapu Stream.

6.1 Existing Conditions

All signalized study intersections currently operate at overall LOS C or better with all movements operating at LOS D or better and below capacity during the AM and PM peak hours of traffic. All movements at the unsignalized East Waiko Road/Waiale Road intersection operate at LOS B or better.

Several movements at the unsignalized Maui Lani Parkway/Kamehameha Avenue intersection currently operate at LOS E/F with over-capacity conditions during the AM and PM peak hours of traffic. A traffic signal system and modified lane configurations are currently being designed at the intersection and is anticipated to be completed prior to implementation of the proposed Project.

6.2 Base Year 2023 WITHOUT the Project

Traffic volumes were conservatively estimated to grow between 1.5 to 1.9 percent annually at the study intersections based upon existing traffic counts performed by ATA and the MRTDM forecast years of 2020 and 2035. Trips generated by nearby developments that include the CMRSC, Waiko Baseyard Light Industrial Development and Waikapu Light Industrial Project were manually added to the roadway network.

Various roadway improvements along Waiko Road were assumed to be implemented in conjunction with the construction of known developments in the region. In addition, laneage modifications and a traffic signal system was assumed to be implemented at the Maui Lani Parkway/Kamehameha Avenue intersection.

With the recommended mitigation, all signalized study intersections are forecast to continue operating at LOS D or better and below capacity during the AM and PM peak hours of traffic.

The proposed East Waiko Road/Road B intersection will be provided with exclusive turning lanes on each approach and serve the Waiko Road Baseyard Light Industrial Development. The southbound approach is forecast to operate at LOS E during the PM peak hour of traffic. The Waiko Road Light Industrial Park TIAR recommended a median left-turn refuge lane to facilitate southbound left-turns onto East Waiko Road and reduce left-turn delays. Based on a peak hour signal warrant study for the Base Year 2023 condition, the intersection will likely warrant a signal. With a traffic signal installed, all movements are anticipated to operate at LOS C or better.

6.3 Future Year 2023 WITH the Project

With the Project, the Honoapiilani Highway/East Waiko Road intersection and Kuihelani Highway/East Waiko Road intersection will operate adequately at overall LOS C or better. All movements will operate at LOS D or better and under capacity with v/c ratios at 0.90 or less. No improvements are recommended at these two intersections.



The Project will include approximately 950 single-family and multi-family units as well as approximately 100,000 SF of VMX commercial development. The total new trips generated by the Project is forecast to be approximately 590(808) trips during the AM(PM) peak hours of traffic. These trips were generally distributed based on existing travel patterns within the study area and regional origins and destinations.

In the vicinity of the Project, the latest East Waiko Road improvements call for paved shoulders which could provide for signed shared roadway use for bicycles in the future. In addition, sidewalks will be provided along East Waiko Road, fronting the Project site to accommodate local pedestrian traffic in the area.

Upon completion of the Project, along East Waiko Road, Road F and Road B will extend further south to provide access to the Project, creating a four-legged intersection at each location. The northbound and southbound left-turn movements are anticipated to operate at LOS F conditions during the PM peak hour, but should operate with a vehicle-capacity ratio under 0.80. Based on a signal warrant analysis, a traffic signal is not warranted at this intersection. At the East Waiko Road/Road B intersection, all movements are anticipated to operate at LOS C or better and below capacity.

At the East Waiko Road/Waiale Road intersection, the southbound approach is anticipated to operate at LOS E conditions during the PM peak hour, but should operate with a vehicle-capacity ratio of under 0.80. Based on a signal warrant analysis, a traffic signal is not warranted at this intersection.

For the proposed Kuihelani Highway/Road B Project Access connection, an exclusive eastbound left-turn lane and right-turn lane, an exclusive northbound left-turn lane and an exclusive southbound right-turn lane are recommended. A left-turn median refuge lane for eastbound vehicles making the left-turn movement onto Kuihelani Highway is also recommended. Based on the AASHTO Green Book, the northbound left-turn lane is recommended to be 650 feet long and the southbound right-turn lane is recommended to be 600 feet long. All movements at this unsignalized intersection are forecast to operate at LOS C or better during the AM and PM peak hours of traffic.

With the recommend mitigation, all other study intersections are forecast to operate at overall LOS D or better with all movements operating at LOS D or better and below capacity during the AM and PM peak hours of traffic.



7. RECOMMENDATIONS

7.1 Base Year 2023 WITHOUT the Project

Kamehameha Avenue/Maui Lani Parkway

- a. Install traffic signal system with exclusive left-turn, exclusive through and exclusive right-turn lanes along all approaches.

East Waiko Road/Road F

- a. Upon development of the Waiko Baseyard Light Industrial development, provide unsignalized intersection control, with the southbound approach as the stopped approach.
- b. Eastbound Approach: Shared through/left-turn lane.
- c. Westbound Approach: Shared through/right-turn lane.
- d. Southbound Approach: Shared left-turn/right-turn lane.

East Waiko Road/Road B

- a. Upon development of the Waiko Baseyard Light Industrial development, maintain unsignalized intersection control, with the southbound approach as the stopped approach.
- b. Construct a traffic signal when warranted.
- c. Eastbound Approach: Exclusive left-turn and exclusive through lane.
- d. Westbound Approach: Exclusive through lane and exclusive right-turn lane.
- e. Southbound Approach: Exclusive left-turn and exclusive right-turn lane.
 - i. Construct a median acceleration lane to facilitate left-turn traffic coming out of the southbound approach.

7.2 Future Year 2023 WITH the Project

East Waiko Road/Road F

- a. Extend Road F further south to provide a 4-legged intersection from its assumed T-intersection configuration.
- b. Provide exclusive left-turn and shared through/right-turn lanes along all approaches.

East Waiko Road/Road B

- a. Extend Road B further south to provide a 4-legged intersection from its assumed T-intersection configuration. Provide exclusive left-turn and shared through/right-turn lanes along all approaches, with the exception of the westbound approach, which should include exclusive left-turn, through, and right-turn lanes.

Kuihelani Highway/Road B

- a. Provide a new unsignalized stop-controlled intersection south of the existing Kuihelani Highway/East Waiko Road intersection, with the eastbound approach as the stopped approach.
- b. Provide the following widening improvements:
 - i. Southbound Approach: Two exclusive through lanes and an exclusive right-turn lane (600 feet long).
 - ii. Northbound Approach: Exclusive left-turn (650 feet long) and two exclusive through lanes.
 - i. Construct a median acceleration lane to facilitate eastbound left-turn traffic exiting Road B going onto Kuihelani Highway.



- iii. Eastbound Approach: Exclusive left-turn and right-turn lanes.

East Waiko Road/West Driveway

- a. Provide a new unsignalized stop-controlled intersection east of the existing East Waiko Road/Waiale Road intersection, with the northbound approach as the stopped approach.
- b. Provide single lane, shared movements for all approaches.



8. REFERENCES

1. Austin, Tsutsumi, & Associates, Waiale Development TIAR, March 2011.
2. Transportation Research Board, Highway Capacity Manual, 2010.
3. Austin, Tsutsumi, & Associates, Waiale Road Extension and East Waiko Improvements TIAR, May 2010.
4. Austin, Tsutsumi, & Associates, Central Maui Regional Sports Complex TIAR, May 2014.
5. Institute of Transportation Engineers, Trip Generation, 9th Edition, 2012.
6. Institute of Transportation Engineers, Trip Generation Handbook, 2nd Edition, 2004.
7. American Association of State Highway and Transportation Officials, A Policy on Geometric Design of Highways and Streets, 2011.

DECISION AND ORDER

IT IS HEREBY ORDERED that the Petition Area, consisting of approximately 545.229 acres of land, situated in Wailuku and Waikapū, Island of Maui, State of Hawai'i, TMKs: 3-8-05: portion of 23 and 37 and 3-8-07: 71, portion of 101, and 104, and shown approximately on Exhibit "A," attached hereto and incorporated by reference herein, shall be and is hereby reclassified to the State Land Use Urban District, and the State Land Use District boundaries shall be amended accordingly.

Based upon the findings of fact and conclusions of law stated herein, it is hereby determined that the reclassification of the Petition Area will not significantly affect or impair the preservation or maintenance of natural systems and habitats or the valued cultural, historical, agricultural, and natural resources of the area.

IT IS FURTHER ORDERED that the reclassification of the Petition Area from the State Land Use Agricultural District to the State Land Use Urban District shall be subject to the following conditions:

1. **Water.** Petitioner shall provide the necessary water source, storage, and transmission facilities and improvements to the satisfaction of the DWS to service the Petition Area.
2. **Water Conservation.** Petitioner shall implement water conservation and best management practices in the design and construction of the Petition Area.

3. **Parks.** Petitioner shall comply with the Parks Dedication requirements of the County of Maui as approved by the Director of Parks and Recreation.

4. **Affordable Housing.** Petitioner shall provide affordable housing opportunities for residents of the State of Hawai'i in accordance with the affordable housing requirements of the County of Maui.

Petitioner shall comply with all housing requirements to the satisfaction of the DHHC.

5. **Highway and Road Improvements.** Petitioner shall fund, construct, and implement all transportation improvements and measures required to mitigate impacts to state roadway facilities caused by the Project as set forth in an MOA agreed to and executed between the DOT and Petitioner. Petitioner shall submit to the DOT prior to application for a zone change an updated TIAR. Petitioner shall obtain acceptance of the Project's TIAR from DOT and shall execute the MOA prior to final subdivision approval of the initial phase of onsite development by Petitioner.

The MOA shall include, but not be limited to, the following terms and conditions: (i) the accepted TIAR shall be incorporated in the MOA by reference; (ii) Petitioner's responsibilities for funding, construction, and implementation of improvements and mitigation; (iii) a schedule of agreed to improvements and a schedule for future TIAR updates or revisions to be accepted by DOT; (iv) development

of the Project shall be consistent with the executed MOA and TIAR; and (v) any fees or in-kind contribution that is roughly proportional to any indirect or secondary impacts caused by the Project.

Petitioner shall construct roadway improvements to accommodate the development of the Petition Area in accordance with the requirements of the DPW.

6. **Disclosure Regarding Highway Traffic Noise.** Petitioner shall include a provision in each of its sales, lease, and conveyance documents, whereby each person who may from time to time own the Petition Area, any portion thereof, or hold any other interest therein or occupy any improvements thereon, makes the same acknowledgement and the following agreements in favor of the State of Hawai'i: (a) such person assumes complete risk of and forever releases the State of Hawai'i from all claims for damages and nuisances occurring on the Petition Area and arising out of or related to highway traffic noise from Kūihelani Highway and (b) such person waives any right to (i) require the State of Hawai'i to take any action to eliminate or abate any highway traffic noise from Kūihelani Highway; and (ii) file any suit or claim against the State of Hawai'i for injunction or abatement of any highway traffic noise from Kūihelani Highway and for any damages or other claims related to or arising therefrom.

7. **Notification of Proximity to Kahului Airport.** Petitioner and all subsequent owners shall notify and disclose to all prospective developers, purchasers,

and/or lessees within the Project, as part of any conveyance document (deed, leases, etc.) required for the sale or transfer of real property or any interest in real property, of the potential adverse impacts of aircraft activity at and from Kahului Airport such as noise, right of flight, emissions, vibrations, and other incidences of aircraft operations.

8. **Hazardous Wildlife Attractants on or Near Kahului Airport.** As deemed necessary by the DOT to minimize the hazards to aircraft operations from Kahului Airport, Petitioner shall fund and implement a program to control any birds nesting or occupation and any insect, pest, or wildlife infestation, in any hazardous wildlife attractants (open swales, storm drains, retention and detention basins, and wastewater treatment facilities or associated settling ponds) serving the Project. Petitioner shall enter into an MOA with DOT to document hazardous wildlife attractant mitigation prior to final subdivision approval of the initial phase of onsite development by Petitioner.

9. **Wastewater.** Should an onsite wastewater facility be pursued to accommodate wastewater flows from the development, consultation with and approval from the DOH shall be sought pursuant to HAR chapter 11-62, Wastewater Systems. The site's location within the CWDA and the protection of groundwater resources shall be considered as part of the review and approval of such a facility.

Petitioner shall design, fund, and construct a wastewater treatment facility and transmission lines to accommodate the development of the Petition Area to the

satisfaction of the DEM and the DOH.

10. **Stormwater Management and Drainage.** Petitioner shall construct and maintain, or cause to be maintained, stormwater and drainage system improvements as designed in compliance with applicable federal, State, and County laws and rules. To the extent feasible, Petitioner shall implement BMPs and incorporate low impact development practices for onsite stormwater capture and reuse into the Petition Area's site design and landscaping to control water quality and mitigate nonpoint sources of pollution.

Petitioner shall construct drainage improvements to accommodate the development of the Petition Area in accordance with the requirements of the DPW.

11. **Civil Defense.** Petitioner shall fund and install two civil defense warning sirens as specified by and in locations and timeframes determined by the DOD, OCD.

12. **Archaeological and Historic Preservation.** Petitioner shall comply with the mitigation and preservation measures recommended and approved by the DLNR, SHPD. This includes, but is not limited to, the implementation of the Preservation and Data Recovery Plan, the establishment of the Cultural Preserve, and continuous archaeological monitoring during site excavation activities.

13. **Previously Unidentified Burials and Archaeological/Historic Sites.** In the event that historic resources, including human skeletal remains, are

identified during construction activities, all work shall cease in the immediate vicinity of the find, the find shall be protected from additional disturbance, and the DLNR, SHPD, Maui Island Section, shall be contacted immediately. Without any limitation to any other condition found herein, if any burials or archaeological or historic sites, such as artifacts, marine shell concentrations, charcoal deposits, stone platforms, paving, and walls not previously identified in studies referred to herein, are discovered during the course of construction of the Project, all construction activity in the vicinity of the discovery shall stop until the issuance of an archaeological clearance from the DLNR, SHPD, that mitigative measures have been implemented to its satisfaction.

14. **Established Access Rights Protected.** Pursuant to Article XII, section 7, of the Hawai'i State Constitution, Petitioner shall preserve any established access rights of Native Hawaiians who have customarily and traditionally used the Petition Area to exercise subsistence, cultural, and religious practices, or for access to other areas.

15. **Sustainability.** Petitioner shall comply with the implementation of its Sustainability Plan for the Project and Petition Area.

16. **Endangered Species.** To address the potential impacts on the endangered Blackburn's sphinx moth and other endangered species in the Petition Area, Petitioner shall consult with the DLNR, DOFAW, and the USFWS to develop mitigation measures to avoid adverse impacts to endangered species. Mitigation

measures may include obtaining approval of a Habitat Conservation Plan and Incidental Take License and Permit.

17. **Waikapū Landfill Buffer.** A buffer area at least 300 feet wide extending from the boundary of the Waikapū Landfill shall be established, within which allowable uses shall be limited to parking, roadway, other infrastructural uses, and open space. Any deviation from these uses shall be approved by the DOH, SHWB.

18. **Public School Facilities.** In conjunction with educational plans for a middle school facility within the Petition Area, an Education Contribution Agreement specifying the fair share contribution for the development, funding, and/or construction of school facilities shall be executed with the DOE prior to zone change approval.

19. **Compliance with HRS Section 205-3.5, Related to Agricultural Uses on Adjacent Agricultural Land.** For all land in the Petition Area or any portion thereof that is adjacent to land in the State Land Use Agricultural District, Petitioner shall comply with the following:

A. Petitioner and its successors and assigns shall not take any action that would interfere with or restrain farming operations conducted in a manner consistent with generally accepted agricultural and management practices on adjacent or contiguous lands in the State Land Use Agricultural District. For the purpose of these conditions, "farming operations" shall have the same meaning as provided in HRS section 165-2; and

B. Petitioner shall notify all prospective developers or purchasers of land or interest in land in the Petition Area, and provide or require subsequent notice to lessees or tenants of the land, that farming operations and practices on adjacent or contiguous land in the State Land Use Agricultural District are protected under HRS chapter 165, the Hawai'i Right to Farm Act. The notice shall disclose to all prospective buyers, tenants, or lessees of the Petition Area that potential nuisances from noise, odors, dust, fumes, spray, smoke, or vibration may result from agricultural uses on adjacent lands. The notice shall be included in any disclosure required for the sale or transfer of real property or any interest in real property.

20. **Infrastructure Deadline.** Petitioner shall complete construction of the proposed backbone infrastructure, which consists of the primary roadways and access points, internal roadways, on- and offsite water and electrical system improvements, and stormwater/drainage and other utility system improvements, within ten years from the date of the Decision and Order approving the Petition.

21. **Compliance with Representations.** Petitioner shall develop the Petition Area in substantial compliance with the representations made to the Commission. Failure to so develop the Petition Area may result in reversion of the Petition Area to its former classification, or change to a more appropriate classification.

22. **Order to Show Cause.** If Petitioner fails to complete the proposed backbone infrastructure within ten years from the date of the Decision and Order, the

Commission may issue and serve upon Petitioner an Order to Show Cause and Petitioner shall appear before the Commission to explain why the Petition Area should not revert to its previous State Land Use Agricultural District classification, or be changed to a more appropriate classification.

23. **Notice of Change of Ownership.** Petitioner shall give notice to the Commission of any intent to sell, lease, assign, place in trust, or otherwise voluntarily alter the ownership interests in the Petition Area, at any time prior to completion of development of the Petition Area.

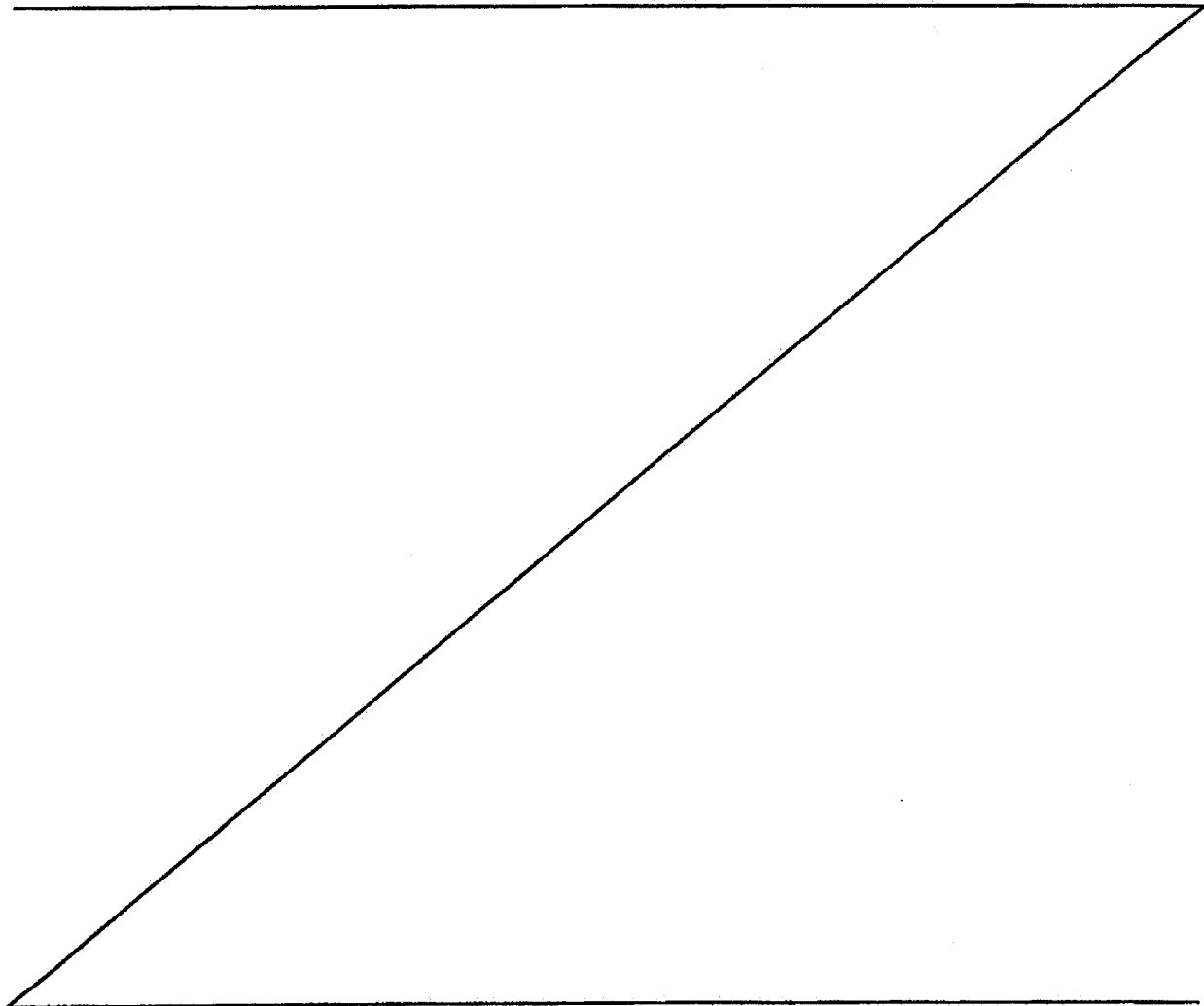
24. **Annual Reports.** Petitioner shall timely provide without any prior notice, annual reports to the Commission, OP, and the DP, and their respective successors, in connection with the status of the development of the Petition Area and Petitioner's progress in complying with the conditions imposed herein. The annual report shall be submitted in a form prescribed by the Executive Officer of the Commission.

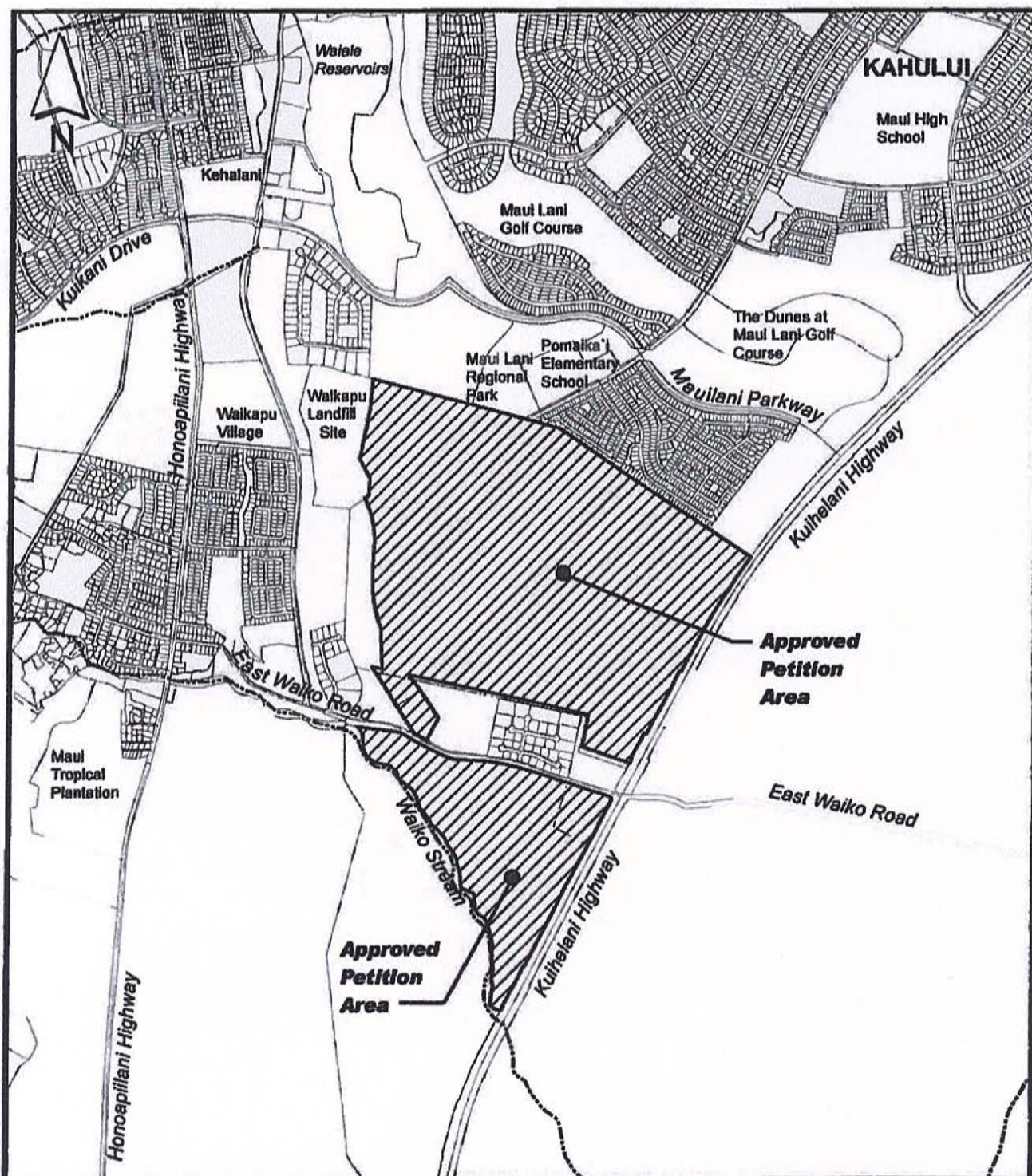
25. **Release of Conditions.** The Commission may fully or partially release the conditions provided herein as to all or any portion of the Petition Area upon timely motion and upon the provision of adequate assurance of satisfaction of these conditions by Petitioner or its successors and assigns.

26. **Notice of Imposition of Conditions.** Within seven days of issuance of the Commission's Decision and Order for the subject reclassification,

Petitioner shall: (a) record with the Bureau of Conveyances of the State of Hawai'i a statement that the Petition Area is subject to the conditions imposed herein by the Commission in the reclassification of the Petition Area; and (b) file a copy of such recorded statement with the Commission.

27. **Recordation of Conditions.** Petitioner shall record the conditions imposed herein by the Commission with the Bureau of Conveyances pursuant to HAR section 15-15-92.

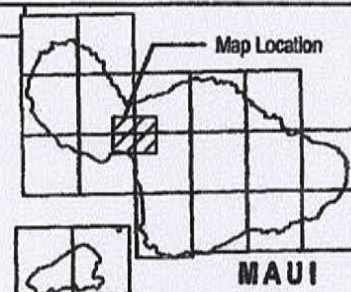




**A10-789 A & B PROPERTIES, INC.
LOCATION MAP**

Tax Map Keys: 3-8-05: Portion Of 23 And 37 And
3-8-07: 71, Portion Of 101, And 104
Wailuku And Waikapū, Island Of Maui,
State Of Hawai'i,
Scale 1: 24, 000

Exhibit "A"



ADOPTION OF ORDER

The undersigned Commissioners, being familiar with the record and proceedings, hereby adopt and approve the foregoing ORDER this 21st day of June, 2012. This ORDER may be executed in counterparts. This ORDER shall take effect upon the date this ORDER is certified by this Commission.


Done at Honolulu, Hawai'i, this 21st, day of June, 2012, per motion on May 21, 2012.

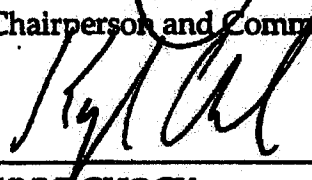
LAND USE COMMISSION

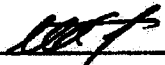
APPROVED AS TO FORM


Deputy Attorney General

STATE OF HAWAII

By 
NORMAND LEZY
Chairperson and Commissioner

By 
KYLE CHOCK
Vice- Chairperson and Commissioner

By 
NICHOLAS W. TEVES JR.
Vice- Chairperson and Commissioner

By 
CHAD McDONALD
Commissioner

By 
RONALD HELLER
Commissioner

By (voted no)
JAYE NAPUA MAKUA
Commissioner

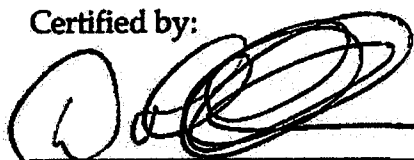
By (excused)
ERNEST MATSUMURA
Commissioner

Filed and effective on:

6/21/12

By 
LISA JUDGE
Commissioner

Certified by:



DANIEL ORODENKER
Executive Officer

By (excused)
THOMAS CONTRADES
Commissioner

Mr. Robinson: Okay, thank you.

Chair Ball: Any further questions? Commissioner Hedani?

Mr. Hedani: Move to approve as recommended.

Ms. Duvauchelle: Second.

Chair Ball: Motion by Commissioner Hedani, second by Commissioner Duvauchelle. Any further comments? Seeing one, Commissioner Robinson?

Mr. Robinson: With the recommendations are we able to now talk about the conditions such as the mediation with the speed with the traffic...I wish I had the term for that that half thing too--

Unidentified Speaker: Botts' dots.

Mr. Robinson: What they call it?

Unidentified Speaker: Botts' dots.

Mr. Robinson: Botts' dots.

Chair Ball: I think the applicant is aware of the issues there and will take all the comments into consideration. Is that a yes? Okay. Any further comments? Seeing none, all in favor of the motion say, "aye", raise your hand?

Commission Members: Aye.

Chair Ball: Motion carried. We'll take a five-minute recess.

It was moved by Mr. Hedani, seconded by Ms. Duvauchelle, then

**VOTED: To Approve the Special Management Area Use Permit as
Recommended by the Department.
(Assenting - W. Hedani, S. Duvauchelle, J. Medeiros, I. Lay,
K. Robinson, R. Higashi)
(Excused - L. Hudson, M. Tsai)**

A recess was called at 10:35 a.m., and the meeting was reconvened at 10:45 a.m.

Chair Ball: We will move onto C2, Director?

Mr. Spence: Commissioners, your second public hearing item today is Mr. Christopher J. Benjamin and Mr. Charles W. Loomis of A&B Properties, Inc., requesting Community Plan Amendment and Project District Zoning for the Waiale Project and our Staff Planner this morning is Mr. Danny Dias.

2. **MR. CHRISTOPHER J. BENJAMIN and MR. CHARLES W. LOOMIS of A&B PROPERTIES, INC. requesting a Community Plan Amendment from Agriculture to establish a portion of Wailuku-Kahului Project District (Waiale), a Change in Zoning from County Agricultural District to Wailuku-Kahului Project District (Waiale), and a Phase I Project District Approval for the Waiale South Project District located on approximately 122.6 acres of land in the vicinity of the southwest corner of Kuihelani Highway-East Waiko Road intersection at TMK: 3-8-005: 037 and 040 (por.), Waikapu, Wailuku, Island of Maui. (CPA 2015/0001) (CIZ 2015/0001) (PH1 2015/0001) (D. Dias)**

Waiale will be a master planned residential community with single & multi-family homes, village mixed use area, parks and open space, landscaped entries and collector roads, and related improvements. Waiale South is projected to be a portion of this master planned residential community.

Mr. Danny Dias: Good morning, Chairman Ball, Members of the Maui Planning Commission. As stated by Director Spence the item before is a request for a Community Plan Amendment, Change in Zoning, and Project District Phase 1 Approval for the proposed Waiale South Project. The applicant, A&B Properties is requesting a CPA from Ag to Project District, CIZ from Agriculture to Project District, and as mentioned, the Project District Phase 1 Approval.

The Commission may be familiar with this project to a certain extent. It's sort of been in the works for quite some time. I wanna say approximately eight, nine years or so. It went through the Maui Island Plan process. It also went before the State Land Use Commission first for acceptance of a Final Environmental Impact Statement which occurred in about 2011, and also for a District Boundary Amendment from Ag to Urban in 2012.

I'll let the applicant present the details of the project but what is before you today is a portion of the entire Waiale Project. Waiale involves lands that are both north and south of Waiko Road. What they're coming in for today is just the portion that is south of Waiko Road and that is about 123-acre portion.

From a permitting standpoint, the Maui Planning Commission is making a recommendation to the Maui County Council on the CPA, CIZ, and Project District Approval. Assuming this Commission approves those permits it goes up to the County Council for final approval. I think it's also worth pointing out that since it is a project district there's also a Project District Phase 2 process which you folks are familiar with and that is when the applicant will come back with more details on the project, for example where the roads will actually be, where the specific uses will be, the types of buildings, et cetera.

Some housekeeping before I turn it over to the applicant for their presentation. The Department received a letter from the State DOT late yesterday afternoon and we handed it out this morning and they're requesting now we add four conditions to the project. So just a warning, we might need a recess. We were trying to talk to the applicant about language and what's acceptable to them, but this just did come pretty last minute so we're trying to work on that. And that concludes my short little introduction. I'll turn it over to, I believe Grant Chun is gonna do the presentation?

Mr. Grant Chun: Good morning everyone. I'm Grant Chun from A&B Properties and I'd like to wish you all a Happy Thanksgiving. We're here this morning to provide you with background on our request for a Community Plan Amendment, Change in...rezoning, and Phase 1 Project District Approval for the Waiale South Project District.

Just a quick overview of the project. This slide indicates the TMK numbers for the parcels involved. Acreage is 122.6 acres and the site is vacant and undeveloped. As we have all heard from media reports, even experienced first hand in our own families the housing shortage here on Maui and throughout the state is real and very serious. This project isn't going to single-handedly address that issue all by itself, but it's definitely a part of the solution. The hope is that we'll be able to provide a range of housing opportunities for Central Maui's working families in proximity to employment centers, schools, infrastructure and public services. We'd also like to note that the request before you is made in the interest of implementing the Maui Island Plan and that it is very much in sync with the goals of the Maui Island Plan.

I might also add that as some of you are aware construction for our Kihei residential project which is called Kamalani will be kicking off in January. In that regard, we've begun home buyer education classes, an outreach to first-time, potential first-time home buyers in the context of making them aware of the residential workforce housing that will be available in the project. And our experience in the past few months has been really illuminating. There's clearly a demand for these new homes for our local families.

As noted earlier, the request before you are as indicated on this slide. Being that this is a project district as Danny said there will be a Phase 2 review, a finely grained plan will come before you, this Commission at a later date and finally a Phase 3 review will also occur directly with the Department.

This is a conceptual plan for the Waiale South Project District. As you can see the project district is bounded by Waiko Road and Kuihelani Highway. The project district is planned to accommodate up 950 homes for Maui residents ranging from single family home types to multi family town home flats. There'll be a mixed use area, village mixed use area that will accommodate for both residential use as well as small neighborhood commercial activities. The neighborhood will also include park and open space areas and bikeways and pedestrian paths.

Danny gave you a brief reference to the chronology for this project. This is a fairly good representation of what people are talking about when they comment on the difficult and lengthy process we have here in order to bring housing to our community. Our first community visioning workshops began in 2004 and 2005. Leading up to those workshops I did a little research and particularly since I grew up in Kahului I thought it was really interesting to learn that this area has been envisioned as the southerly boundary of the Dream City of Kahului since the 1940's when what we now think of as Kahului was first established. The area planned back in the 40's encompassed the increments of Dream City, Maui Lani and this area called Waiale. As you can see from the chronology, the process that led us up to this point where we are meeting with you today has already taken over 10 years.

This slide provides a good perspective on the location of Waiale South. Here you can see Waiko Road, Kuihelani Highway, Maui Lani, and the future Waiale North. We decided to proceed

with Waiale South ahead of Waiale North because of a couple of different reasons. In conjunction with requirements that were imposed in the context of past entitlements for a number of our projects we were required to provide some lands for affordable housing, a community center and a neighborhood park acreage totaling 50 acres. That's all over here.

Beyond that of course, the State of Hawaii acquired 65 acres within this same corridor to build a new regional park facility and the Department of Education has also identified a site of about 20 acres within this same corridor for a new middle school. So you can see from this slide that all of these areas are situated within the Waiale North project area and we can see...already see synergy that will come from the ...just the position of these uses adjacent to Maui Lani. You'll note that the Maui Lani regional park and the Pomaikai School will blend right into the recreational area, community center, cultural preserve area and the school on the Waiale side of the property line.

Given all of the initiatives on this northerly portion of the area which we do not actually control, we see it as prudent to take up this matter, for our future entitlements for our north project area separately from our south project area so that our plans for the north can be informed by, responsive to, and in concert with the State and County's eventual plans for the area. Of course, we realize that the State and County's work on their initiatives will take a while thus we feel that it makes more sense at this point for us to focus on planning and entitlement for the southerly portion of the project district which is here.

Further it's not irrelevant that the State Land Use Commission conditions require that we proceed with Waiale on a timely basis. And given the dire need for housing in our community, we think it prudent that we move forward with Waiale South. As time goes on and the uses and plans for the public areas identified in Waiale North get fleshed out we'll be in a better position to prepare a plan for Waiale North that will compliment and provide cohesiveness for the area.

This aerial provides a good perspective on the location of Waiale South. Key landmarks include Kuihelani Highway, Waiko Road, Maui Lani. Key points of reference include the junction of the two highways Honoapiilani and Kuihelani Highway junction is here. And also, you can't really see it too well, but outlined here is a large tract of approximately 300 acres owned by the County of Maui which is planned for a future regional park facilities as well as an area in which to situate future County services.

An updated Traffic Impact Analysis Report was completed in 2015. The plan calls for improvements to Kuihelani Highway and East Waiko Road. A new project intersection at Kuihelani Highway and new intersections along East Waiko Road. All intersections are forecast to operate at satisfactory levels.

For water, A&B has been working with the County's Department of Water Supply on a new ground water source that would supplement the Central Maui water system. This will improve the existing system's ability to serve planned growth in Central Maui as called for in the Maui Island Plan.

We have been in discussion with the Department of Environmental Management concerning participation in a new regional wastewater treatment facility that would serve Waiale as well as other projects in the area.

An Archaeological Inventory including subsurface archaeological testing has been completed. No burials or archaeological resources were identified in the Waiale South project area. I might add that a future culture preserve is accommodated for in the Waiale North project area. The AIS was accepted by SHPD in 2010. Archaeological monitoring will be implemented during construction. We anticipate that Waiale South will accommodate a range of residential product types.

This is a conceptual rendering of a multi-family, eight plex, stack flat concept. Each unit will have individual front doors, individual front yards and each unit will be a corner unit allowing for good ventilation for all units. Multi-family town homes will have individual front doors, private back yards, private garages. They'll be two-story units. So there'll be no units either above or below the town home.

This is a compact single family residential concept which would be situated on lots between 1,800 and 4,000 feet in size. Each would have individual yards, private garages or carports and there will be one or two-story plans available. And of course they'll also be more traditional single family residences in Waiale South. These homes will be situated on lots of 6,000 square feet or more in size. They will have individual yards, private garages and come in both one and two-story plans.

The plan for Waiale South was prepared with an eye toward sustainable design features accommodating for mixture of land uses and home product types in the same neighborhood. The plan incorporates walking paths and bikeways with parks and open spaces within walking distance of homes. Of course, Waiale is ideally situated in close proximity to the key employment areas of Wailuku and Kahului.

This slide depicts the streetscape along the neighborhood park situated in the middle of the neighborhood. And this is a depiction of the street along the village mixed use section of the project district. Here's a depiction of the walking path along Waikapu Stream.

In summary, we're very excited about Waiale South and its potential to provide a range of housing opportunities for Central Maui's working families. It is located close to existing and planned infrastructure, public services, schools, and employment centers and it is consistent with the Maui Island Plan. I'd just like to add that personally as a son of Kahului basically it's very exciting for me to be able to be a part of providing for our next generation, our kids. I've kinda joked with our community participants who have worked with us over the years in crafting this plan at past meetings that, you know, it's something we all share in common is that we all love our kids, but we don't want them living with us forever. And that's kind of what Waiale South is all about really. It's about providing our next generation with the opportunity strike out on their own and grow our families and community into the future. So with that, very much appreciate your review today and I'm not sure what's next, testimony or questions. Thank you.

Chair Ball: Thank you, Grant. With that we will open it up for public testimony.

a) Public Testimony

Chair Ball: If anyone would like to testify at this time you may do so. Please identify yourself and you have three minutes.

The following testimony was received at the beginning of the meeting:

Ms. Tamara Paltin: I'd like to also testify on Item C2. I oppose the Waiale change in zoning, community plan amendment for Project District Phase 1. One of the policies of our Maui Island Plan is to stop the conversion of ag lands to non ag uses and I'd like to ask who this developer is to think that their plan for this area is better than the community plan made by the residents of the area. Our community plans are more than land use maps and have the force of law to support community objectives.

The developer's plan shown today does not match the plan that was shown to the State Land Use Commission. And although affordable housing is cited, affordable is not really affordable when it's \$575,000, and only 225 out of 950 units meets that requirement. That may be the minimum that they're required to do, but it's not satisfactory.

I wonder where the water will come from. You can ask Mr. ...(inaudible)...too about that. The top concern though is the incomplete archaeological inventory survey as noted by SHPD not having received the required archaeological documentation within the proposed project area from archaeological monitoring, data recovery and preservation work conducted by Archaeological Services Hawaii.

This developer, A&B, they had a similar type of situation in Oahu and if you guys can look up the Waihonua Development. In that case, they took every possible method to ensure that the desecration of iwi kupuna did not take place. So I wonder why they come to Maui, this same company and they cut corners, they submit incomplete archaeological stuff. If that's the standard that they're willing to do on Oahu, hold them to that same standard here. Look it up, look up Wai honua Development what they did over there and say we want the same kind of treatment here on Maui. You know the desecration of the iwi kupuna are like the final act of conquest. In essence they want to behave as though the previous people never existed. Do not accept incomplete work, tell them come back when all their stuff is done and stop wasting people's time. Thank you.

Chair Ball: Thank you Tamara.

Chair Ball: Next is John Gelert?

Mr. John Gelert: Good morning Planning Department. My name is John Gelert, resident of Kihei. I would like to speak...this is not tall enough for me. I would like to speak on the development of Waiale. I am opposed to that development for a reasons and first of all, I would like to second everything that Tamara Paltin said about it.

First of all, it is not part of the community plan and the community needs much more affordable housing. Somebody brought to my attention that many promises have been made in the past and that the County actually owes the residents 10,000 affordable housing units. And there needs to be some kind of enforcement that they're actually gonna be affordable housing units. If that figure is true then we really need to build four times as many houses as this proposal.

But I am mostly against this development because it's development turning prime agricultural lands

into houses and the houses that we built just north of there by the highway it's just ugly seeing all of that as you drive through. And I can just imagine all the noise that the residents have to put up with the traffic going through there. We really need to take agriculture land seriously and use it for food production. If sugar cane production is getting less and less profitable then we need to convert it to food and you know, obviously California is suffering a drought and they're less and less able to feed the nation. So we need to feed Hawaii first rather than importing our food and you know, you know, especially I don't ever want to see Haleakala lands plantations be developed because they have such a great water system to you know, they could grow so much good food.

But also another reason I'm against the development of Waiale is the ancestral burial grounds and all that kind of stuff. Really have to respect the Hawaiian and the Hawaiians would not want this land developed. Thank you very much.

Chair Ball: Thank you.

Ms. Trinette Furtado: So now I'm gonna go into the second part of it which is the rezoning of Waiale leading into that. It's great to use Hawaiian mana`o. It's great to include the community. But when you only do so for one facet of a particular development and then you expect the community to take the entirety of it, that's hewa. What we're looking at here is not just ancestral lands but really water rights. The land before was for agricultural use. We already know we import over 90 percent of our food. We are not food sustainable here. We have no food security, but we're looking at putting more, more buildings on land that is prime land. And that land that we have now that our farmers are farming they're eking out what they can. Why not use prime land for food. We can be sustainable here on Maui. We have been before historically. We need to look at community. We need to look at how we sustain ourselves and though affordable housing really is a part of it, that's not a part of this project. The majority of this project will not be affordable for our ohana. Really when you look at it who can afford 20 percent even less than market price. I mean, if you're not working two, three jobs, if you kane or your wahine is also not working, if you're not living two families in one hale affordable housing here on Maui when we look at market prices is not affordable. And then to think of the length of time that it will be affordable, we have people that are waiting, waiting on so many lists for housing and we understand that and I understand that as well, but we need to look at how we do those developments intelligently and we need to involve the community. And I thank you for listening to me and thank you for your time.

Chair Ball: Thank you.

This concludes the testimony received at the beginning of the meeting.

Ms. Laksmi Abraham: Good morning, my name is Laks Abraham. I am the President and CPO of Maui United Way. And first of all, please allow me to say thank you for allowing me to show my support of A&B Properties and Waiale South Project District. Just to give you a little background, Maui United Way works to support 37 different health and human service programs here on the island of Maui through funding that we generate throughout the community. Alexander and Baldwin has been supporting Maui United Way since 1969 contributing over \$3.54 million over the last 45 years.

We are all aware of the continuously growing problem in our community around homelessness. As the United Way we see firsthand how homelessness and housing challenges affect lives everyday. Our funding targets 17 programs connected to fighting homelessness. Within these programs homelessness is a result of many challenges ranging from substance abuse, domestic abuse, youth neglect, low minimum wage, lack of jobs and job training, natural disasters, and poor health mentally and/or physically. Through the outstanding work of our partners, we work to put people's lives back together and give them hope. However, housing is absolutely necessary for any healing process and remains to be one of the largest challenges our programs encounter in trying to help people.

Recently the Maui Farm shared that they continuously encounter challenges finding housing for clients that graduate from their programs because there are simply not enough houses to support the need. Ka Hale A Ke Ola Homeless Resource Center continues to operate under full capacity with a long waiting list of potential clients. Habitat for Humanity continues to provide first-time home buyers with affordable housing options that can only impact so many families annually leaving a long list of potential clients. Feed My Sheep continues to feed the homeless to help offset the high cost of living on Maui. Women Helping Women works to help find housing for women who have made the courageous choice to leave their abuser. We as a community can work to heal those in need, but increasing housing is where we need the support of government and companies like A&B to complete the circle of healing and have the ability to help a client attain the dream of home ownership or even just a place to call home.

Projects like this one are so important for Maui. It will provide our community with much needed local housing both affordable and market in a master planned community that will include recreational and commercial space. This is exactly the kind of housing that our local community needs if they're going to be able to sustain living here on Maui. It may not be the only solution, but is certainly a step in the right direction. This is a logical extension of Kahului and provides easy access to infrastructure, schools, employment, and services.

Just in my own immediate family I have two brothers, both with college graduate degrees which continue to live and work in California because of the lack of jobs and affordable housing on Maui. As a single parent of three beautiful boys, I was blessed to have the opportunity to become a homeowner just eight years ago solely because of affordable housing initiatives. Never a day goes by that I don't realize how lucky I am to live and work on this place I love most.

With your support, this project could serve many other deserving families the opportunity and dream of attaining home ownership, jobs, and much needed support for our economy. This is a community for the next generation, a place our keiki may be able to make a home for themselves in the future. Again, thank you for the opportunity to testify today, and I humbly ask for your support of the Waiale South Project.

Chair Ball: Thank you. Any questions for Laks? Commissioner Higashi?

Mr. Higashi: I have a question. I think we totally agree with you about affordable housing. When you bought your affordable house what was the price range that you had?

Ms. Abraham: I purchased my home for \$305,000.

Mr. Higashi: \$305,000. And your location is where?

Ms. Abraham: Spencer Homes, Waikapu Gardens.

Mr. Higashi: Waikapu Gardens?

Ms. Abraham: Yes. Not too far from this project.

Mr. Higashi: Okay, thank you.

Ms. Abraham: Thank you. Any other questions?

Chair Ball: Thank you.

Ms. Abraham: Thank you.

Chair Ball: Anyone else would like to testify?

Mr. Roy Katsuda: Good morning everyone.

Chair Ball: Good morning.

Mr. Katsuda: My name is Roy Katsuda. I'm the Executive Director at Hale Mahaolu and we've had the pleasure and privilege to provide home buyer education for the Kamalani Project that A&B is doing in North Kihei. And the response to that has been very, very strong. Briefly Hale Mahaolu manages over 1,000 units on Maui, Molokai and Lanai. We provide personal care to about 650 persons, meals to another 650 persons. We do home ownership, housing counseling, foreclosure counseling. I'd like to just share with you that at one of our sites, this is typical of all of our sites, one of our sites, 115 units, the wait list is 650 and that's without advertising. This project is sorely needed on Maui and I'd like to add my support and our company's support of this project. Be happy to answer any questions you might have.

Chair Ball: Thank you. Any questions for Roy? None? Thank you for coming.

Mr. Katsuda: Thank you.

Chair Ball: Mike?

Mr. Mike Moran: Mike Moran, and to be clear on this item, I am testifying as an individual. Aloha, Chair and Commissioners.

Chair Ball: Aloha.

Mr. Moran: And Happy Thanksgiving to all of you and thank you for your good work as volunteers

diligently getting down here and going through all this detail so often for the good of the community. On this item, C-2, for CPA and zoning changes. In political campaigns we are seeing it again as we have before. With the current group of U.S. presidential candidates they go before a particular group and say one thing and soon afterwards go before another group that has a different values and different opinions to the prior one so they change the message to fit the listeners. They shop the message to what they expect the listeners will approve. Of course this does not happen with our candidates on Maui.

However, we are seeing it in a very related way with this project before you today. When it was before the State Land Use Commission a few years back for this same project the developer showed a varied project than what is to be shown to you today. Will you ask yourselves or them why is this legal, is this pono? Also, is this truly affordable homes, residential project for Maui's working people or simply a selling point for justification where the vast majority of the homes will be for whatever the market will bear? Is there a specific condition that for the affordables will be built...excuse me, that the affordables will be built first or another case, the affordables on the back end which they don't get built at all. Please use caution. I am not testifying against the project, just asking you to do your due diligence and ask these questions. Mahalo.

Chair Ball: Thank you, Mike. Any questions? Thank you for coming. Eric?

Mr. Eric Miyajima: Hi everyone. My name is Eric Miyajima. I've been a resident here all my life. It's kinda funny that Grant talked about Dream City 'cause that's where I grew up too. And naturally in the first increment. So I'm supportive of this project basically because a number of things. One is I've been involved with youth sports for like 25 years and a lot of our kids that went to college on golf scholarships or whatever scholarships also told me in times that, you know, they cannot come home 'cause it's too expensive and there is not enough opportunities. So a project like this, I mean there's a lot of opportunities for jobs especially because as you know that I've been a mortgage lender for 35 years so I understand affordable housing is crucial for our children here. You know, a lot of...take example, I just gonna give you guys an example that one of my really good friends moved to Seattle because he couldn't afford to live in Hawaii, but given the opportunity to move back and have an affordable house to move back to he would jump at the moment. I mean, everybody loves to live in Hawaii, right, especially on Maui. So having something affordable and something that they can budget for especially living in central valley, Central Maui I think it's gonna be convenient for everybody. So...and then being born and raised here it's really important for me to understand because when I grew up here living in the central valley it's easy for my family, easy for other families to attend activities and everything like that. And the most important thing is to have an affordable project that everybody can live and work and given the job opportunities will help. That's my support for the community because this project will give our children a place to buy and live. I think that's all I have. Thank you.

Chair Ball: Thank you, Eric. Any questions? Commissioner Robinson? Hold on Eric.

Mr. Robinson: Hi Eric. You say you're...are you currently a lender or you were a lender?

Mr. Miyajima: No, I am currently, 35 years.

Mr. Robinson: So lets get to the crux of affordable housing. So what does...what does somebody have to make to get a affordable house right now to get a mortgage through you?

Mr. Miyajima: When you say affordable house, how much of a loan amount?

Mr. Robinson: That's a good question. So it's--

Mr. Miyajima: Somehow yeah, when you go...when you say affordable yeah, affordable in my eyes is between three to four hundred thousand, yeah. Yeah you go over five hundred, you're leaving out a lot of people.

Mr. Robinson: So somebody with \$400,000 home what would they have to make annually to get a mortgage today?

Mr. Miyajima: So about \$5,000 a month with no bills.

Mr. Robinson: That's their mortgage?

Mr. Miyajima: No, no that's not the mortgage.

Mr. Robinson: That's how much they gotta make?

Mr. Miyajima: Yeah,...the mortgage is gonna be about \$2,000 a month, yeah based on--

Mr. Robinson: Yeah, so it's 40 percent, right what you guys lent off of the...(inaudible)...

Mr. Miyajima: Forty-five.

Mr. Robinson: And so it's \$60,000 a year?

Mr. Miyajima: Yeah if they had no bills, of course.

Mr. Robinson: And that's, that you guys consider that family, you guys consider that single or it doesn't matter.

Mr. Miyajima: Either way, yeah.

Mr. Robinson: Either way. So if somebody files, somebody comes with, a marriage couple comes to you with that 60 is it any different than a single person coming with 60?

Mr. Miyajima: No, no.

Mr. Robinson: Doesn't matter.

Mr. Miyajima: Doesn't matter.

Mr. Robinson: Okay. And that's 400?

Mr. Miyajima: Four hundred, yeah. But you know ironically, ironically if the, you know like I notice that there's town houses and flats and stuff like that, so a single person making 60,000 and trying to afford maybe a town house or a flat might be at least given an opportunity to own a home, yeah. A family size of five or four making little bit more might be able to afford the 400, maybe depending upon the down and all that. But that's something that there isn't anything out there right now that can provide our kids right now, you know they're coming out of college and wanna come home. It's tough for them to come home. I mean, if they go to Seattle or Tennessee and buy something at 200,000 yeah great, but look where they're living you know. It's not Maui, you know what I mean? They wanna come home.

Chair Ball: Commissioner Lay?

Mr. Lay: So following up on that. This has a lot to do with market and demand, right where because we have so few affordables that will drive the price up already. If we had more, the price might possibly come down because of the availability of it, right?

Mr. Miyajima: Yeah, that's a possibility if there is more supply, but there isn't.

Mr. Lay: Thank you.

Mr. Miyajima: I mean, I can tell 'cause I'm involved in a project just down the street, Waikapu Gardens. They had 800 buyers for 56 units just 'cause it was affordable. It was 800 buyers for 56 lots. So it was pretty tough to see there was only a small amount of people that could be helped. So you know, a project like this would give everybody an opportunity to buy and to live here instead of move away.

Chair Ball: Okay, thank you Eric. Oh, sorry, Commissioner Robinson?

Mr. Robinson: And I just did my math that's \$29 an hour somebody would have to make.

Mr. Miyajima: That's not including you know, bills though yeah?

Mr. Robinson: That's gross though right?

Mr. Miyajima: Yeah, yeah, yeah gross, yeah.

Chair Ball: Okay, let's move on. Thank you Eric. Let's see who has signed up...anyone else would like to testify?

Ms. Kay Fukumoto: Good morning. My name is Kay Fukumoto and I'm here to testify in support of the project. I'm a Maui girl born and raised here. I initially lived in Pukalani with my grandparents and my parents. And my parents were very fortunate in that they were able to buy a property in the eighth increment of Dream City and so we moved down to Dream City when I was in Kindergarten. At the time, you know, really the subdivisions were just starting and I had an opportunity to literally

be at Lihikai School for eight years and then move onto Baldwin High School and go away to college and come back. And I have now purchased property in the 11th increment of Dream City. So I've almost lived in Kahului for about 50 years. I again, I'm a Kahului gal married a Wailuku guy. We raised a son who has now graduated from college and is working in California. And my dream is for him to come home and be able to live back in Kahului, and he has also acknowledged that that's what he would like to do as well.

So ten years ago when this project came before the community, you know, A&B literally asked the community to come out and look at the plans and for us, the community to give them input and I was part of those initial meetings. And I was there, you know we did several days of looking at the land, looking at walking spaces and bike paths and you know, making sure this is the kinda community we wanted to build for what I hoped was for my son. You know, he was freshman in Baldwin at the time and now he's already graduated. It's amazing to me how it's taken this long and we don't even have shovels in the ground yet. You know, I love the process of being able to be part of that, to have been involved in, you know, just I think giving our input. It wasn't just them saying this is what we're gonna plan. We literally had maps and we were, you know, putting houses where we wanted and putting the little town center that they wanna build. You know they wanted a walkable community and I really appreciated being part of that.

So I'm a mom with a grown son who is living and working and thriving on the mainland, but he's commented about how he would love to return home to live here one day. And when he does, I think that Waiale would present ideal opportunity for him to raise a family in a community in which he was raised. And Maui is no ka oi but only if can provide affordable housing and a safe community to support the kamaaina who want to live and work on Maui. And my request is to approve the Waiale project to finish the Dream City for the next generation. Thank you.

Chair Ball: Thank you. Any questions? Thanks for coming.

Ms. Pamela Tumpap: Aloha, I'm Pamela Tumpap, President of the Maui Chamber of Commerce, and I too, am here to support the Waiale project. All of us here want homes for our local residents. All of us here have been concerned about that and working for many, many years on doing that. And you know, when we looked to address legislatively how we were gonna create more affordable homes we sorta went too high. We have to understand that developments have to also pencil out to move forward and we had a high affordable requirement that we seen back then...an economist said back then would not pencil out and they have said for years since, hampered our affordable growth and our housing growth in a time when we desperately needed it. And now a project like this that offers a great diverse project with different levels of housing, different sizes, different price points for different markets, but a walkable community with bike paths and parks and the things that we dream of to have near our homes is on the table and this project, many people who has...as Kay said, and of the friends that participated in the process they've been waiting years for this. And now we have an opportunity to have it. And we know we have a pent up demand in the market.

And one of the huge things we hear Roy has talked about, you know the backlash...long back list that they have of people waiting for affordable housing. I remember when I was trying to buy housing years ago to get into Maui Lani you had to be lottery and I tried and tried and tried and never got picked. So I guess I wasn't that lucky. But you know, it is something that we all know has

to be addressed and we need to look at moving forward with great projects and I think this is one of those. I think it not only will help ease the market because we're hearing too that even people with HUD vouchers are having a hard time finding housing to go into. So because of the limited demand, rentals are down we've got a huge market for this. Now the time is right. We've got a group ready to move forward. It will also contribute to building our economy and give us the diversity that we need. So definitely support the continuation of the Waiale project and ask that you move this project forward. Mahalo.

Chair Ball: Thank you. Any questions? Seeing none, thank you.

Mr. Kaneloa Kamaunu: Aloha Commissioners.

Chair Ball: Aloha.

Mr. Kamaunu: My name is Kaneloa Kamaunu. I represent myself as kuleana related to the area of Maui Lani projects having growing on also connecting to this new project that is also being proposed. Also, I represent Aha Moku under Act 212 which talks about protecting resources under traditional and customary practices.

I came today to testify which a lot of people don't and is actually has been talked about before is a battle between Kahikili and Kalaniopuu in this area. And it was recorded by Kamakau and is written about and he's not the only that records it, but they talk about the scope of the area being from Maalaea to Wailuku up and in this area finding of remains of warriors have been, you know, dug up. And they make all these preservation sites not only for the warriors but also for those that lived in the area. And if you come throughout this project all the way down you continue to find preservation sites. Because not only of the battle which entailed 16 alii that came...or 1,600 alii that came from Hawaii Island that lie in this and throughout this area. And you know, that's...even the area of Safeway they have found those remains. Throughout those housing areas they have preservation sites on the lots. And even as of today, about a month ago they discovered remains where that new County baseyard is going to be put. They found more than one remain. And that only goes up to the counting of what is being said. And also if you look at the AIS from 2010, the report states and I not quoting, but states not to be surprised if more remains are found which has come true. It's continuous. It's continuous and this is to me, any other way this will degradation. It is part of my culture, my history. I connect to these that lying there. In 1900 there was a congregational debate, it was 56th United States Congress they had a debate on citizen on naturalization of inhabitants in Hawaii. After the discussion, the conclusion was there was a group of people who refused to take allegiance to the United States and their finding was they could not...if these people did not wanna come freely they could not take them—

Ms. Takayama-Corden: Three minutes.

Mr. Kamaunu: —which is we, and that is also in public law 103-150, it talks about the sovereignty of the natives. The DOI, the wanting to — the Department of Interior wanting to put a Native Hawaiian entity, governing entity government to government proposal that's coming up. Why are these things there? Because we still are kanaka. So my question is if we still kanaka, what about these people? So does the United States or the State of Hawaii, County of Maui have a true claim

to these people that lived there and is what they're doing a obtrusive and against the law by moving them? Because there is an 1860 law protecting and being in place. And that the only way that they can be moved is through proper authority which will be the lineal descendants. Thank you.

Chair Ball: Thank you. Questions? Commissioner Higashi?

Mr. Higashi: Yes, I have a question. The land we're talking about right now was at time sugar cane?

Mr. Kamaunu: Right. Yes, but even—

Mr. Higashi: During the time that HC&S was cultivating sugar wasn't that also the area of burial for warriors and my question to you is, what did the organization do during that time to oppose sugar cane in that area now that it's gonna be housing?

Mr. Kamaunu: Well, I cannot attest to that because that was a different time and knowledge about the area wasn't as forthcoming as it is today especially with having the initiation of the Burial Council which brings up these burials and of course, other cases that have come up throughout the years more recently. So I cannot attest to what happened, I'm still kinda young from that area, I mean that time. So, but I know of stories and people that have witnessed bodies there throughout you know, it's a known fact and it is a historian thing that Hawaiians do bury their people in sand. And with the last remains out in, out in the County baseyard the archaeologist on site showed us the land itself, the lay of the and described why this person would be found here. Well, they were kinda surprised. But my whole thing is how can they continuously call upon inadvertent when if you read the definition it supposed to be not there. I think everything should say that it's not there. So is the AIS which only takes about I believe six feet deep and 20 feet wide on two-acre lots is that enough? Because all the construction been going on they keep finding and so when does it stop?

Chair Ball: Thank you.

Mr. Kamaunu: I hope you answered your question.

Chair Ball: Thank you. Any others? Thank you. Bruce?

Mr. Bruce U'u: Good morning Commissioners.

Chair Ball: Good morning.

Mr. U'u: Bruce U'u, Carpenter's Union, life-long Maui resident. First of all, thank you guys for volunteering your guys time to be Planning Commissioners, a tough, a tough situation you guys in and a lotta dedication. Hats off to you guys.

I'd like to start by saying I support this project and I support mostly every home buyer opportunities there is for our Maui residents. And we all know that's needed. Secondly, as being a construction, Hawaii Carpenter's Union we get the incredible opportunity to not only participate in trying to own a home, to build it too. So it's the best case scenario for any construction worker other than

building a school. We like building schools. I like that part. But building homes that local residents live in it and perpetuate for years to come it's awesome and I can say that because I think the A&B project I live on that was gifted to me by mom in Paia was made by A&B, Hale Nani back in the day, you know, when we could live by the beach when was cheap. And the guys comes my house and they say Bruce this was my first project I ever worked on and you're living here. So I thank the people who had the authority to have the guys accept it and build it and secondly, I gotta thank my mom for giving me the house 'cause she had two more guys for choose from. So hey, whatever. I guess even got one lottery system within the family household yeah.

Thirdly, I was watching football. I'm football fan, but three hours is too long to sit in front the T.V. but I watched the first quarter between the Nevada Las Vegas game, UNLV and UH and what struck me by one incredible surprise was when the guy said hey, get 90,000 Hawaii residents that relocated to Vegas. So now we DVR, I gotta rewind, try repeat that again, 90,000. Now it's close to actually 115. That's what we get. So always told myself, self what is Hawaii without Hawaii residents? It's not Hawaii. They never say California residents moving there. They never say Arizona. They said us, Hawaii, ho hurt. So I get a hard time sit up here, and you know, people keep blocking. We short 10,000 homes as it is today, right now. We shy 10 grand. This is 950. This not even going fix or come close to fixing the problems we get. That numbers going continue to climb elsewhere throughout the United States. They're not from here, they're gonna move there and it's happening. We gotta stop the trend.

So in ending I'd like to tell I would love you guys for support this project and give our people an opportunity to make their life-long dream here, have their kids here, get my kids out of my house, generational living. And it happens right in the hood right now in Paia. So thank you guys for the time, thank you guys for your service. Happy Thanksgiving. Thank you, aloha.

Chair Ball: Thank you, Bruce? Question, Commissioner Lay?

Mr. Lay: Okay, with your knowledge in construction and everything how do they balance out affordable housing versus market value 'cause I understand affordable housing is almost difficult to build it at that rate or have it made. How do they...how does contractors work that out?

Mr. U'u: Thanks for the tough question Commissioner Lay. They're called apprentices. They're called apprentices and get 800 that graduate from high school a year. And I say, they say about 400, 450 go onto college but the remainder try to stay here and make a living. And guys like us in the construction unions we look for the opportunity to give people job opportunities. And this is a perfect example of job opportunities. So thank you for asking that question, Ivan, appreciate it.

Chair Ball: Any further questions? Commissioner Robinson?

Mr. Robinson: Bruce?

Mr. U'u: Yes.

Mr. Robinson: In your union how many make \$29, \$30 an hour plus percentage?

Mr. U'u: You're coming onto the upper percentage of the apprentices. So the apprentices can make that much money.

Mr. Robinson: And how many years would they have to put in to get that?

Mr. U'u: Well, depends on your work hours, school hours, work hours. So if you follow the protocol, you don't flunk classes, right. He was my principal by the way...I had to go night school because you know, I barely made 'em, but that's okay. By your third year.

Mr. Robinson: Third year.

Mr. U'u: Your third year you qualify. And we did the math too. The third year you can qualify to own, you know, to own a piece of the rock on Maui. So yeah, thank you for the question.

Chair Ball: Any further? Thanks Bruce.

Mr. U'u: Aloha.

Chair Ball: Aloha. Let's see...Dick Mayer? Hold on Ken, we'll go with...

Mr. Dick Mayer: Good morning, Commissioners. My name is Dick Mayer. I'm a...was a former Planning Commissioner sitting in your chair about 43, 44 years ago beginning 1971. And I also was a vice-chair of one of the community plan advisory committees and also vice-chair of the most recent GPAC for the Island of Maui.

The project came before the GPAC and I'd like to make some comments with reference to the activities that we did there and the representations that were made to us. And subsequent representations that were made to the State Land Use Commission. The State Land Use Commission has in there in their Condition No. 21, I would like just quickly read it to you, compliance with representation. Petitioner shall develop the petitioned area in substantial compliance with the representations made to the Commission. Failure to so develop the petitioned area may result in reversion petitioned area to its former classification or change to a more appropriate classification. What was said to the LUC was here's an EIS document. We've done the whole thing, we've analyzed the impacts of various kinds and these are the mitigation measures, et cetera.

We now see that they're coming in only for part of this area to be developed and that causes a number of problems. One of which is for example, and there are many but I'll just give you some examples, the schools. They talked about the number of students that would be coming out of this project, the whole Waiale project, the north and south and it was a large number and a school had to be built. I thought the number of schools was minimal given the fact that Baldwin and Maui High are both over capacity at present. They didn't require them to put in a high school. They said there would be a middle school, but there's no elementary school. Now we see this project coming in for 950 homes, families and no school being provided at all. And the elementary schools are quite distance that means school busing. Somebody else earlier said, oh they're gonna be near schools. That's not the case. They've moved as far away from the schools as possible with this project. I

think that that needs to be taken into account.

Traffic. They took a look at the traffic situation for the whole project. They talked about that, and now before you today is apparently a letter from HDOT which we haven't seen so we can't really comment on the questions or the conditions that they're asking you to do there. But there are certain things you should that are available already in their application. Waiko Road will not be increased from a two-lane to a four-lane road. They're talk of putting in sidewalks and things of that sort, but it will remain a two-lane road. This is 950 homes being put on a road that already is taking a lot of the traffic from Waikapu Town down to Kuihelani Highway and it will not be in any way increased in size. And I think that's a major issue that you need to look at even though the TIAR is available, it's not yet something that we can review easily.

Also, they only talk about the intersections going down to Kuihelani Highway. As many of you know, Waiko Road doesn't just go down the hill, it also goes up the hill to Honoapiilani Highway at the top. And it passes through a very tiny little neighborhood there at the top of that road. There's no provision being made how will the traffic and much of it from that community will go up that road to Honoapiilani where people will want to go into Wailuku to work at the County Building or whatever and that's a major issue there.

Wastewater. They talk about putting a wastewater treatment plant not on their property but across the highway on the south side of that highway, the east side of that highway they will have to cross the highway. That area that they're now talking about for their wastewater is not in the Urban Growth Boundary nor does it have an EIS done for that particular site both of which are requirements if they're going to locate it on that side of the highway as they're claiming they will.

The map for the project itself has changed considerably that what was presented to the LUC. It's a different representation now. They've packed in a lot more houses, 950 houses on that lot whereas previously it was a much larger park area and particularly along Waikapu Stream it was a park area all the way up. I urge you to take a look at what they gave to the LUC the basis for the EIS and for the LUC approval for a land use change. That has considerably changed.

There are many other things. The last thing that I would like to comment on is the affordable housing. This is being built...came to us at the Maui Island Plan process that this is gonna be for a lot of local residents and families. They have now reduced the number of affordable houses in this project down to 25 percent of the 950 which is 238. The remaining 712 houses are non affordable. They use a term of market user. They're basically...700 plus units of these houses are non affordable and will be probably not affordable to local families. Even the affordable houses are only affordable according to the County law for 10 years and not in perpetuity. So after 10 years all of those houses can be resold at higher prices and taken totally out of the affordable market. Those are conditions which I wish you would examine. If you go ahead and make a recommendation on this that you make sure that the schooling, that the traffic is properly taken cared of, that the affordable housing is not just at 238 affordables but at a much higher number because that's what this project had going for it as it went through the earlier stages both before the LUC and the General Plan Advisory Committee and the County Council. And make sure that these houses are affordable in perpetuity. Am I three minutes? That's all I really have at this point. Thank you

Chair Ball: Thank you. Questions of the testifier? Seeing none, thank you. Ken?

Mr. Ken Ota: Good morning Chair--

Chair Ball: Good morning.

Mr. Ota: --Commissioners. My name is Ken Ota. I'm representing myself and I am in support of the Waiale project for a couple of reasons. First is I love the location, and second is, I love the timing. On the location end, I am about half...I live in Waikapu about half mile up the road, Waiko Road, West Waiko Road. Love that neighborhood. I see from the standpoint of the location is it's central. It has growth over the last five years that really is an important role for my personal use. We've got now a supermarket, we've got a drug store, we've got all within basically walking distance but I still drive. But at the same time, it just brings that value within Waikapu and Wailuku. I see the growth no matter what will go outside of Waikapu and it falls in line with what A&B's plan is.

So the second from a timing a standpoint, I am in the construction industry. I've been in the construction industry for the last 24 years. Seeing the cycles go through, understand the process of the timing of the market. We deal with the economy, we deal with the interest rates, but we deal with many developers coming to Hawaii and trying to propose affordable housing. Try to have a goal of just having people in the house. The timing I think is a long process and it takes a lot of planning, it takes a lot of consideration of give and take. I think they're in the right timing where we're not gonna see this for still many years, but that process I think takes that time where we see some of the goals accomplished down the road in five years. So that's the important part.

The third thing is I actually love the people who is involved with this project. They're consistent, they're respectful, they're understanding. The thing about this project I think from a developer's standpoint, they care about the community's perspective and they're accommodating and I think that's important from a developer's point of view. They're homegrown, they're here on the islands, they understand what is needed, and they're concerned. That's all I have. Thank you.

Chair Ball: Thank you, Ken. Any questions? Seeing none, thanks for coming.

Mr. Ota: Thank you.

Chair Ball: Anyone else? Would anyone else like to testify at this time?

Dr. Joseph Cohn: Aloha--

Chair Ball: Aloha.

Dr. Cohn: --Thank you for the opportunity to speak. My name is Dr. Joseph Cohn. I'm a board certified internist living and working here in Wailuku. I've been on the island three years and I never thought I'd be at the center of so much representation of the struggles that we're all going through economically, financially, sustainably, agriculturally, chemicals, pesticides, corporations, government corruption, everything. And this is just a microcosm of all of that stuff going. I don't

have the answers for this. I oppose this particular rezoning because it seems like more of the same, and you know we could pave the whole valley which will work until it floods. And...but that's not actually gonna save us in the long term. And so my request is looking for expanded new thinking, innovative thinking that respects the culture and the land and the people, and create something new and different as a model for everyone to live by. We have that opportunity here and we got a lot of resource potentially, you have a lotta smart people in the room and outside, and I'd encourage you to take advantage and create something new and better and different and not the same old garbage that is tearing everyone apart except for a very small percent. And thank you for listening.

Chair Ball: Questions? Commissioner Higashi?

Mr. Higashi: Did you say you're a doctor?

Dr. Cohn: I'm a physician, yes.

Mr. Higashi: And you've lived here three years?

Dr. Cohn: I've been here for three years.

Mr. Higashi: Where were you originally?

Dr. Cohn: New York City.

Mr. Higashi: New York City.

Dr. Cohn: Oh yes, sir.

Mr. Higashi: You're comparing New York City with Maui, how would you compare the living condition?

Dr. Cohn: Thank you. Right now I would say that Maui is where the east end of Long Island was 30 years ago. It was very agricultural, down Suffolk County. I grew up in Nassau County. My home was ...(inaudible)...homes. After World War II, you know, blocks and blocks and blocks just like the suburban sprawl that you're trying to make more of here. Long Island is paved now just about out to the ends, but 30 years ago it was very rural like this. Most recently last 10 years, last 30 years, I lived in Brooklyn, Manhattan, back to Brooklyn before coming here and there's nothing green, there's nothing lush, there's nothing sustainable. Developers like that. They make money. Everybody else is in their little pigeon holes boxed in, separate. We can do better.

Mr. Higashi: My question to you is you've heard testimony about affordable housing. There's a great shortage in Maui.

Dr. Cohn: Agreed.

Mr. Higashi: And you're opposed to this particular project itself. What is your recommended

alternative for affordable housing on Maui?

Dr. Cohn: Thank you. I would use the same area...if I were gonna make this into a residential area, ...but my own thinking really would be...put...make 10,000 homes there. Figure out a way to make 10,000 people with affordable housing...10,000 homes there, nine...not 1,000 or 950. Yeah, stop, stop, stop paving the whole island. Pave one part, build it up so that everybody can live there. What if you were living on the moon? You wouldn't wanna pave the whole surface of the moon. Well, this is part of the moon, alright we got an area, let's build it, let's do it right.

Mr. Higashi: Thank you very much.

Chair Ball: Commissioner Lay?

Mr. Lay: Do you own a home here?

Dr. Cohn: I do not.

Mr. Lay: Do you consider yourself transient?

Dr. Cohn: No, I do not.

Mr. Lay: So you're looking to stay here?

Dr. Cohn: I would like to say that they're gonna drag me kicking and screaming off this island but paying me a boatload of money and then I'm coming back.

Mr. Lay: Thank you.

Chair Ball: Thank you for your testimony. Any other, anyone else want to testify at this time?

Ms. Johanna Kamaunu: Hi, my name is Johanna Kamaunu. I live in Waihee Valley. I'm here before you with a whole lot of experiences. Hopefully this will be the basis for my comments to you, but I'm also a member of the Maui Lanai Island Burial Council, and my comments are not reflective of what the Council has decided in this area, but I just wanna share with you a little bit about what I know is going on out there.

It was unexpected to find the burial remains in the County baseyard. And the site is, the site is also an unexpected setting, and it was believed that this would be outlier of any other remains that may be found. However, since the discovery last month there have been additional finds. Now this is an area that was heavily used for cane and still after all this time we find remains and it's not buried in sand, it's buried in soil. So there's changes we have to make, some adaptation we have to make as to what the possibilities are out there for even more.

Going back to the AIS that was done, it appears that trenches were made for every two acres. Now a trench could be as wide as the desk in front of you and along as 50 feet, but if we did that in this room you can see how much space is left undiscovered, unsurveyed and so the potential to find

more would be greater.

In this instance at the baseyard they hadn't expected to find it so almost half of the remains, skeletal remains were moved. And in the process of trying to identify where it was moved to the area was so vast that they were only able to recover 60 percent of it. But in that process they found that...they know that there's a second one, and they have several remains that are not related to the first two. So the thing is it appears that there is a lot more out there in an area where we thought there would be none. And now we move closer to where this project is Waiale South, and that's why I say this trenching idea and the way it's depicted in your maps appears that they've done a really good job of surveying, but in essence, you can see that a trench in a two-acre parcel is just barely small. There are also segments, larger segments of this area that hasn't had any surveying done. Looks like there might be about a 10-acre size, but none has been done in that area. So again, you have the potential for remains to be found.

The other item is that along the Maalaea side of this boundary where you have the water, the water body, there's a good chance that in those areas again, you may find either archaeological features or remains. So the problem is what do you do now? Do you make plans for this? My recommendation actually, my comment would be that you either correct the AIS and not correcting the AIS that if you approve it, and approve this project that you would do it with the following recommendations. That the Ahu Moku O Maui...no, Ahu Moku O Wailuku be included for providing recommendations. That the Maui Lanai Island Burial Council's recommendations also be included. There was one more...right now I can't think of what the last one is, but there are some things that should be done. 'Cause as I'm looking at this project especially with the presentation that was just made the appearance is so that you will have an oasis type of living experience there and there's a lotta...well, from what I could see from the pictures that were made, they're expected greenery in the area, and not many of the residential communities in Waikapu or this essential area have that, have that feature. I have to applaud that...what is that street going down, going down to the five-miles stretch, not Kuihelani?

Chair Ball: Waiko?

Ms. Kamaunu: What's that?

Chair Ball: Waiko Road.

Ms. Kamaunu: No, the other one by Long's Drug Store. That one, it goes all the way down to Pomaikai. At the bottom of that hill it's beautiful. You know it's green, it's lush, but only right there. And yet it appears that the community that's being presented may show that kind of...be demonstrating that kind of idea. And so, I have no explanation, no other comments to make on this, but I would hope that as you're thinking about this that you would remember one of the main reasons people live on Maui is because of those cultural features. It's because of the history. It's because of the lifestyle they think that Maui has, and that gets lost a lot with development and this type of development. So I'm hoping that as you work with the other groups that you'll be able to change that a little bit more.

Chair Ball: Thank you. Any questions of the testifier? Seeing none, anyone else who would like

to testify at this time may come forward.

Mr. Albert Perez: Aloha, Albert Perez. I'm with Maui Tomorrow and I would like to applaud A&B on their proposal to provide 119 truly affordable homes. Listening to the mortgage broker who testified earlier I did some calculations. So if you take 25 percent that's affordable between 331 and 579 that comes out to 238, and a 100 percent median I believe what he said was affordable was around 400,000. So I consider anything that's affordable to be kinda for people who can make the median or less. And people who can make more than the median income can fend for themselves. So 119 homes are truly affordable which leaves 831 that are not affordable truly. And the other thing is that after 10 years these can go into the market so they won't remain in the affordable market so we have....not only are they not affordable that there's no guarantee that they're going to local families. And many of these with our lack of enforcement on the vacation rental situation could go into the vacation rentals. So I have several friends who do vacation rentals and they say, and I'm talking about the ones that have permitted vacation rentals, for every one that's permitted there's probably 10 that aren't. So I would encourage you to try to condition things. Maybe you could add to some conditions that are more strict than the County ordinances, like maybe just a complete prohibition in this area for vacation rentals to increase the likelihood that local people could afford these homes.

Second, I'd like to talk about the stream. The previous map that was given to the Land Use Commission on this project had a buffer all the way along the stream and the new map has a buffer only about half way. Furthermore, the part that was removed from the buffer is upstream. So if anything, if you're gonna remove part of it, it should be downstream so that you can still have some protection from runoff upstream.

And by the way, on the affordable thing I think that A&B can really afford to be a little more generous with the pricing on this since they already own the land. Probably all of it can be completely affordable.

Finally, I just wanted to bring your attention to a land use condition, a Land Use Commission condition, No. 20 on this, the infrastructure deadline. Petitioner shall complete construction of the proposed backbone infrastructure, primary roadways and access points, internal roadways, on and off site water and electrical system improvements, and storm water drainage and other utility system improvements within 10 years from 2012, and that covers the whole thing not just the Waiale South. So, I would like to see the infrastructure for the whole thing put in in compliance with the Land Use Commission condition. Mahalo.

Chair Ball: Thank you. Any questions? Seeing none, thank you. Any other testifiers?

Ms. Lucienne de Naie: Aloha, Commissioners.

Chair Ball: Aloha.

Ms. de Naie: My name is Lucienne de Naie. I handed out a map a little earlier. It has some circles and everything so that will be part of my testimony if you can grab that. I, too, served on the Maui Island review and the GPAC so this project was part of our review. I also attended all the Land Use

Commission hearings and testified there. Is this in sync with our Maui Island Plan? Well, the concept of having some housing here, yeah that's in sync. But how, how it's gonna be done is another matter. I feel very strongly that the maps that were shown to the Land Use Commission that showed the park along the entire length of the Waikapu Stream and touted the idea that this would be an amenity of the project are the proper way to plan this area. The fact that half of this park...the park was eight acres according to the map I had along the stream. And the Waikapu Stream itself is a cultural resource. It is mentioned in the community plan for Kahului-Wailuku area as a cultural resource. The community has worked hard to restore the flows. That stream is a beautiful flowing stream. Eighty acres of this 122 acres drains into the Waikapu Stream right now. Not such a big deal 'cause right now at real peak storm that could be 9 million gallons, but when this goes in that's gonna increase to 135 million gallons a day capacity or 252 cubic feet per second. Now all that's supposed to be retained by a retention basin. Will that actually happen? There's not much follow through from our County to inspect all these things. They're busy doing a lot of things. So this stream could be impacted. It seems crazy to remove one more potential area to absorb that runoff which would be the linear park. Just having a bike path along the stream is not enough. So I would really recommend that just the park go back in, eight acres doesn't seem a lot. Probably three acres is still remaining. Let's do something and make sure that that eight acres is there.

Also, I'd like to speak to the little chart that I gave you. It shows the areas where the trenches were done. You've heard about the trenching. You've also heard about the fact that inadvertent burials were found really right just a little bit south of this project on the land that the County purchased for its baseyard. So there have been questions about why weren't burials found when farming took place? Well, sometimes because this is sandy soil there have been deposits and deposits over years and these burials were a little bit deeper. Are burials present where farming has been taken place? Yes, Maui Lani had 300 burials found inadvertently that were never known. The north part of this project has 100 burials that were found. Only five were found during the archaeological surveys. Should there be more trenches? Yes, there should be. Ten acres of this parcel was not owned by the applicant and so it was never surveyed. In their application they say we don't need to because we didn't anything in our other 54 trenches. I'm sorry, the State Law does not actually work that way. It basically says if there's an area that hasn't been surveyed especially if north of here you found burials and south of here you found burials you really need to do trenches on that area. So your recommendation I think should correspond with that from the State Historic Preservation that more archaeological review be done on this project. Listen, they can't build it till they have a sewage treatment plant so it's not like this is gonna happen next year. They certainly have time to do a more thorough archaeological inventory review as part of the process and I would hope that you would recommend that. Thank you very much for your time and really appreciate you putting a little intention to make this a good project.

Chair Ball: Thank you. Any questions for the testifier? Seeing none, at this time we'll take a recess till...don't worry, we'll come back and we'll continue the public testimony at 1 o'clock. We're in recess.

A recess was called at 12:00 p.m., and the meeting was reconvened at 1:05 p.m.

Chair Ball: We will be continuing our public testimony on Item C-2. Anyone that would like to testify

at this time, come forward and you have three minutes.

Mr. Mercer Vicens: Aloha and good afternoon Chairman.

Chair Ball: Aloha.

Mr. Vicens: And Members of the Planning Commission. My name is Mercer Vicens and I'm resident of Spreckelsville. I am a over 30-year employee of Matson and Alexander & Baldwin, but retired about eight years and I'm a...I own a consultant business today.

What I wanted to speak about is that, you know, because Dick Mayer and I are older than most of the people in here we've been able to do a lot of things over the many years. I served on the Burial Council for about eight years and during the course of the Burial Council a lot of times the inadvertent burials and actually burials that were found, were found in areas that were earmarked were taken care of. I think we set aside about a 23-acre parcel maybe larger that I can remember to take care of the finds of the great battles that Kaneloa talked about. And I think that one of the things that we prided ourselves in is working with HPD to make sure that when we went in and did a survey of the area, archaeological survey we followed the law. We followed exactly what the law called for and we never deviated from it. Once done, it goes to SHPD, they either approve or disapprove our findings and then they move on. In this particular case, all of that has been done. So to say that, that you either haven't done enough holes or too many holes is kind of a redundant statement because we followed what the law said. That's my belief okay.

The second thing is is that you, as Commissioners, are the first leg of a fairly long journey if you don't count the LUC and State and all the rest of them. So you're the very first of the County that's gonna say yea or nay. So when I look at you I see opportunity, I see opportunity to put some fellow people into homes. And although you're talking about a first phase of an opportunity out here in Waiale remember that the project is around twenty-two, twenty-three hundred in total. So you call it phasing, you call it what you want this project district. We're doing that way. It's to be able to clarify what we can do now following on the heels of Kamalani. Kamalani will break ground next year, early first quarter, and probably deliver in '17. We should be able to deliver in '18 if everything goes well. But this is the area that I'm talking about where you have an opportunity to move this thing forward. We understand what's gonna happen at the County Council level. They're gonna come up with ideas that say you need to do this and you need to do that. Let them do their job, you do your job and afford us an opportunity to move on. That's all I'm saying. We find that many projects don't move because of indecision. Well, in the General Plan we said we're gonna provide 12,000 new homes by the year 2030 is that gonna be possible if we don't start somewhere? This is the somewhere for you. Again, I look at it as an opportunity. An opportunity to send a message to the County Council that this is what we want. We wanna provide housing for our people. We wanna be able to send that message to my kids on the mainland, 34 years can't return. Had a daughter recently return after 34 years and she's taking a chance. But guess what, she's part of the hidden homeless. She lives with me. So you know, we're not necessarily providing opportunities for homes. My oldest daughter is 56 years old. By all rights she should own her own home. She's paying 1,600 a month rental for a three-bedroom place. You know these are the opportunities I'm speaking of. This is the chance to say to them hey look, come home. Or if you're here this is an opportunity to start somewhere. So I'm pleading with you today to be able to look

at this opportunity and say, yeah we gotta start some place and we gotta move this project forward. And you know, the devil be damned. We gotta do it. Thank you very much for your kind attention.

Chair Ball: Thank you. Questions? Commissioner Robinson?

Mr. Robinson: I apologize I was tardy. I missed your introduction.

Mr. Vicens: Mercer Vicens, Chubby Vicens. And I've been on island for over 30 years. I worked for Matson originally and I ran the A&B Properties Division for a number of years and retired about eight years and own a consultant business.

Mr. Robinson: Consultant, okay.

Mr. Vicens: But I was...among the other things I was on the Burial Council for eight years. I was part of the 25 that made up the General Plan Advisory Group for a three or four-year stint. So I try to stay abreast of community efforts.

Mr. Robinson: Thank you.

Mr. Vicens: I love this place.

Chair Ball: Any further? Thank you.

Mr. Vicens: Thank you very much.

Chair Ball: Claire?

Ms. Claire Apana: Good afternoon. Is it on? Okay, I'm gonna have to ask for assistance at some point in my testimony just warning you. Thank you very much for letting me come today. And I have a little dilemma here because tradition would have it that you don't contradict your elders and I think Chubby you're definitely my elder even though you called me Aunty, okay.

As far as following the law, I think that I have done everything within my power to follow the law and to speak for these burials in this land for the cultural features. I've done my homework. I've walked this land many, many times for many years, and I have gone to the Land Use Commission. I've gone to the County Council. I've gone to the developer, A&B to talk to them to try to get them to hear that there is a better way to build these neighborhoods. What's missing is the kanaka maoli. I don't know how but we always forget us. We always for us in these commissions. You asked a history of this place, this is...these are the plains of Kula Ka Maomao. There's not one on every single island but there is one on Maui. Literally translated, the winds of the dead spoken about by Joseph Nawawe, great patriot, statesman, self-learned lawyer and judge and he states that it is an oily business that has lead to the giving of these lands. And these lands he's speaking of are actually crown lands. I want you to know that. I'm not making a case for that because I do know the entire history of land sales in this place and all of a sudden one day there was lease and the next time it was an ownership by A&B. I have all the documents.

But for the sake of Maui which is why I come to do this I want you to think about why you're sitting here. We don't want to build another Maui Lani where people have to bless their houses. Right now my cousin just came last month to see a friend who's really sick. She moved there three years ago. Ever since she's moved into the Dunes right on the golf course she's been sick. She's looking to sell her house, her beautiful dream house, and she's not the only story, not the only story 'cause I hear many of them. Do you want to rush through and get this done so that you can have houses that are haunted?

The last time I came before this board about this matter was with Safeway and I pleaded with you, not all of you, some of you were here to please be more respectful. Put in some rights for the cultural practitioner and a'ole. A'ole, and what did you get? I sat there brokenhearted before it opened saying I totally failed. They moved 12 more sets of iwi, of bones to build that store. I totally failed here. And to my surprise it was when it opened vodka bottles were flying off the shelf, footprints were appearing, people were getting locked in the freezer. Every kanaka maoli that worked in that store refused to work in that store. Is this the kind of community you're looking for? And let me tell you why. I sat through all, every single one of those Land Use Commission meetings just to tell them that the EIS is incomplete. And they admitted the EIS is incomplete, we haven't finished all the archaeology reports. In particular I believe was the one where they came, A&B or their affiliate whoever was leasing their land came before you with an SMA for sand mining. And your decision, finish up the last SMA and put in the burial treatment plans, the monitoring plans before you get this next one. What happened, they never did it because it was not their intention ever to comply.

I have here, and where's my man, oh here he is. Okay, I'm sorry I gotta ask him to read for me.

Chair Ball: Okay, let's wrap up the testimony Claire, okay.

Ms. Apana: ...(inaudible)...quick.

Chair Ball: How long is it?

Mr. Dias: About a minute or so. Okay, safe neighborhoods, best practices, traditional values equals respect of land and kupuna. Referral to the Aha Moku O Wailuku as part of Aha Moku O Maui, LLC, and Cultural Resources Commission of Maui Nui for input. Recommendations and decisions about the protection of kanaka maoli traditional practices, values and artifacts and land features including all iwi kupuna already disturbed, identified or to be discovered before any grading or grubbing occurs and a cultural monitoring plan is approved by SHPD. Cultural monitoring, grubbing and grading by area descendants be done with each phase of development especially during grading, grubbing and ground altering activities. Also when sand moved be shifted. All sand mining defined as removing sand from the project boundaries be reported and preliminary monitoring reports that is submitted monthly to SHPD and to Aha Moku O Wailuku. Failure to comply with the monitoring plan or monitoring reporting requirements will result in immediate halt to any work activities on the development site. The Police Department, State Historic Department archaeologists or Maui County Planning Department representative can call for a stop work order to access and remedy the situation. Burial preserve areas will be recorded at the Bureau of Conveyances before any Phase 1 permits are given. A cultural preservation plan will be

established for management of important cultural resources. Identified in the burial treatment preservation areas, the Wailuku river and the sand dunes and any other pertinent cultural features. And lastly an accepted plan for the endangered species Blackburn's Sphinx Moth be established with the Department of Fish and Wildlife before considering any Phase 1 approvals of any parcels included in the A&B boundary amendment for the Waiale project.

Chair Ball: Let the record reflect that Danny Dias is just reading the testimony for Claire Apana and not a recommendation from the Department for that.

Ms. Apana: Thank you. What I was referring to about going against my elder is that if you look at the last three things, those are things that have not been done and are in the Land Use Commission requirements. And maybe it doesn't matter to you whether the burial preservations are recorded in the Bureau of Commerce but it matters to me. I went there yesterday just for the purpose of looking to see if they were there and they were not. I had the staff help me because as you can see I can't even read my own notes. So they helped me. They could not find them.

Chair Ball: Thank you, Claire.

Ms. Apana: I would like to finish the last two.

Chair Ball: Thank you. Any questions for the testifier at this time? Commissioner Robinson?

Mr. Robinson: Claire there was, there was meetings the last few years for this project. Did you attend any of those meetings?

Ms. Apana: I'm not sure which meetings you mean.

Mr. Robinson: I think I saw on the...there's the Kahului community meeting. They had that with regarding to this project or any ones before that. Were you able to attend any of those meetings?

Ms. Apana: You know, I was not given notice of those meetings although I have identified myself as a cultural practitioner in this area. And spent many hours with the staff. I was not given notice of that. I live in Wailuku and I have, I have not attended any of those because I did not get any notice of that. I would have, I would have thought that if you wanted to have the public actually know more 'cause I mean, I know the entire history. I know the history from the plantation. I know the history from before that. I know the history of going through land use and other projects, but they never contacted me or asked me and I am very willing to share that because I think that we can make a better plan.

Mr. Robinson: Okay, thank you.

Ms. Apana: Thank you.

Chair Ball: Any further questions for the testifier? Seeing none, thank you. Anyone else? Would anyone else like to testify at this time? Is that a yes? Is that a grunt? Seeing none, public testimony is now closed. We will move onto the recommendations by the Staff. Danny if we can

have that please?

Mr. Dias: Thank you, Mr. Chair. The Department feels that the proposed action is in compliance with the applicable standards for a community plan amendment, change in zoning and Project District Phase 1 Approval and the Department recommends approval of said applications subject to two conditions that we recommended and when the time is right, we do want to discuss the DOT conditions that they've proposed. Thank you.

Chair Ball: Thank you. Questions from the Commission to the applicant?
Commissioner Robinson?

Mr. Robinson: Aloha Grant.

Mr. Chun: Aloha Keaka.

Mr. Robinson: I'd like to, I'd like to agree with a testifier, Mr. Ota about A&B, I think you guys are very well suited in the community. Every event I go to I see you guys as the lead sponsor if not a co-sponsor. I see you guys very, very involved and I think you guys are a positive influence to the community so I wanted to say that first and thank you guys for continuing to do that even though even the rough times you guys were still doing that so that's good. So now that the things are things are doing better and your guys production is, I wanna go back and I don't know if you heard this, I'm all about affordable housing. And we've heard a couple different testimonies about what affordable housing is, what is not, what the price is. We had a testifier from United Way testifying on how much you help them, but I'm pretty sure that the people in United Way under that program couldn't afford the houses that we're talking about now. My question is, at this point, do you folks have a...there's a couple...do you folks have a hard price on your affordable housing, and with that price the exact units you guys are promising to build. And third, of those units how many are you promising to keep in this area and not use it as a tax credit to go for some other project, but what amount of affordable homes are gonna be in this exact area?

Mr. Chun: Okay, so the plan for the affordable housing in this area would, of course the project is a few years away as you know, but in today's dollars what we're looking at is starting the sales of the affordable homes in the high 200's. The range of pricing is based upon County standards that are prescribed through HUD guidelines that are prescribed to by the Department of Housing and Human Concerns here, but in today's dollars that's where we would begin.

Affordable housing standards call for providing homes for a variety of income levels that by definition of ordinance fall within what is deemed affordable. And so the...and those are income categories 80 to 100 percent of median, 100 to 120, et cetera. And so the pricing of the units is based upon an interest rate that the County establishes as being a reasonable interest rate given the market conditions over time. So what a family can afford is based not only on their income but also the prevailing interest rates that are available. It affects their borrowing power, yeah.

Mr. Robinson: So let's say 300,000 high 200s, let's say 300,000--

Mr. Chun: Yes.

Mr. Robinson: How many of those units are gonna be in this project?

Mr. Chun: You know what it's a little early to say...well, the idea is that this project's affordable requirement will be accommodated within the project or in another project that we're doing in Kahului, you know. This project's affordable units are not intended to be used for another project 'cause I think that was one of your questions, yeah.

As far as the exact units, we're not at that stage yet, but we will be coming back to you folks with a...like I said a more finely grained plan that will speak to unit types, elevations even, you know, very specific kinds of planning discussions that will occur as we work forward to establish the mixture of home types that will be suitable for this neighborhood.

Mr. Robinson: But you had...I mean, you guys have penciled out this project with so many homes should fall in this category so on and so forth in that category and we're here, you know, granting a zoning change—

Mr. Chun: Yeah.

Mr. Robinson: —which that land is not worth as much, but as soon as we change that zoning there'll be all kind of people you know lined up. So there is an advantage of having a different zoned land and then it being changed after the fact, so it's just really the construction and the site work. So with that being said, do you have an estimate?

Mr. Chun: Are you asking about the number of units?

Mr. Robinson: Yes.

Mr. Chun: Oh okay. So the number of units that would be required assuming we do build 950 homes in this area, could be less, but if it is 950 homes you're looking at almost just shy of 200 affordable...units that are priced in that affordable range.

Mr. Robinson: But it's a minimum, but you guys can build it a 100 percent if you really wanted to right? A minimum and a requirement are two different things, right?

Mr. Chun: You know depending upon the market the pricing of the units will be adjusted accordingly. Now so what that means is in today's market until very recently at least many homes that were not technically encumbered by a residential workforce housing agreement were being sold at rates that would fall within that category, right. So it kinda depends on the market to be perfectly honest. That said, this is an area that is planned for you know, basically local working families. So in today's dollars the single family homes, traditional single family homes would start in the 500s.

Chair Ball: Commissioner Lay?

Mr. Lay: Okay, Grant following up on that. Isn't it true that to build an affordable home at the rates that you guys are saying it is affordable, can't be done because we need some balance from

somewhere else so your market value homes help to build the affordable homes. Is that how it works or can a affordable home be built by itself at that price without any other money coming from anywhere else?

Mr. Chun: Yeah, that's the penciling that Mr. Robinson was referring to and definitely there's a significant subsidy that's required in order to produce the affordable homes, and that subsidy comes from the market, the market sales.

Chair Ball: Director?

Mr. Spence: I'd only like to just comment. It's hard for a property owner to say, you know, he can tell you in what today's dollars are but two years from now, three years from now, you know it's hard to say what the price of steel is going to be, the price of oil, the price of wood, transportation into the islands, you know for materials. I mean, he could give you, what it would...you know, they could do today, but what we find with our land use system here in Hawaii it takes so long to do stuff, it's hard to actually make a commitment. So I'm just offering that...you know, on the one hand Grant's saying the market is gonna dictate, but on the other hand there's externalities that we absolutely do not control living here on the island. So there's gonna be flexibility.

Mr. Chun: Yeah, exactly. And to the extent that the pricing of the affordable units is driven not so much by market conditions, but by the ordinance. The extent to what subsidy of those units is gonna be required is gonna depend as well, yeah.

Chair Ball: Commissioner Higashi?

Mr. Higashi: Grant, I was concerned about several things with the infrastructure. One, beginning with Waiko Road.

Mr. Chun: Yes.

Mr. Higashi: I don't see anything that shows that it's gonna be widened in any way with the increase with 900 plus units on the south side of Waiko Road. Are you planning to do like a double lane so that it's wide enough so that the traffic can flow all the way to....

Mr. Chun: Yeah, maybe...I have our traffic consultant here so maybe it would be best for me to have him address that.

Mr. Matt Nakamoto: Good afternoon, Matt Nakamoto from Austin Tsutsumi & Associates, traffic engineer. yeah, so you know in our traffic study we did study the intersection of Waiko and Kuihelani Highway. And within the traffic study we didn't recommend any improvements knowing that the intersection could actually handle it assuming that the timing at the intersection is appropriate. That's primarily because the traffic along Kuihelani Highway itself is relatively light. But I also have the understanding that and you know, based upon the letter from Public Works you know that ultimately they're gonna have to, they're planning on doing an improvement at Waiko Road which ultimately will bring it up to 36-foot of pavement which is equivalent of three lanes. So inside the traffic study itself if you look on the intersections with all of the different access

points for Waiale actually shows having a left turn lane in and also on the Waiko baseyard project which is across the street in their traffic study they also have improvements along Waiko Road. You know and actually, so again there will be improvements that are beyond what's shown in the traffic study.

Mr. Higashi: Is it gonna be proposed for three lanes or is it just in a study?

Mr. Nakamoto: Ultimately the roadway will be three lanes, but there's also other things like the Waiko baseyard project. They're proposing to have a right turn lane in to their development and ...(inaudible)... that comes by widening Waiko Road to four lanes in that section between our first access point and Kuihelani Highway. Yeah, so...and I believe we actually have a graphic that shows that too. I don't have it handy right now. It was in the presentation.

So you know, currently right now Waiko Road is a two-lane which is 24 feet wide if I recall correctly. And so really that doesn't provide you with the ability to turn right off of Waiko Road onto Kuihelani Highway as a separate lane. I mean, ultimately when you hit the wider pavement width and that ability would be possible.

Chair Ball: What are we looking up?

Mr. Nakamoto: We actually have a backup slide with a conceptual drawing of what it looks like. Sorry it's taking so long. So this is the drawing that illustrates what we're talking about. It's hard to see the lane lines there. Sorry, it's a little bit small, but the way that the drawing is oriented north is actually to the right so the bottom part of the drawing is Kuihelani Highway and the road that's going up and down is Waiko Road. So as you can see that section there if we were building out to the 36-foot pavement width you actually have three lanes and on the right side of the drawing is that forth lane I was talking about that would be associated with Waiko baseyard which would be a right turn into that road.

Chair Ball: Is there a question?

Mr. Higashi: So the middle is stacking?

Mr. Nakamoto: Yeah, the middle...the middle part could be either median or you know, I mean I guess it depends like the pavement width will be 36 feet and it could, it could either be like a median or a turn lane is possible.

Chair Ball: Okay, any further questions? Commissioner Hedani?

Mr. Hedani: I guess this is for Grant. Grant, you know when I look at Waikapu Stream—

Mr. Chun: Yes.

Mr. Hedani: —that comes down adjacent to this project area the perspective that I have is that it makes a perfect opportunity to create the community asset for the entire community along the entire stretch of the stream. Is there a possibility that you can look at expanding the park designation that

you have along the entire length of the stream up to the existing Waikapu community?

Mr. Chun: Yes, Mr. Hedani just to clarify the exhibit that was provided in the presentation was...the green space indicated there was to show the loop trail system that would be accommodated because of the location of the neighborhood park as well as the treatment of the streetscape so that there would be a good loop for walkers, joggers, people walking their dogs or you know, kids riding bike. But that's not to say that there wouldn't still be a buffer area along the entire length of the stream, a green space along the entire length of the stream. And as Mr. Dias mentioned earlier, much of what's provided here is very conceptual because there is a Phase 2 review that will be coming before you all. So in that process we'll be continuing to have ongoing conversations and work with Will Spence and his staff to arrive at a plan that we all agree is worthy of your consideration. So right now it's very conceptual honestly, but the concept of you know, a buffer area along that corridor is you know, still something that we're thinking of that...the exhibit was more to exhibit...was more to demonstrate the loop trail system.

Chair Ball: Okay, Director?

Mr. Spence: Thank you. And if I could just follow up with that. We've heard some testimony that this illustration is not the same as what was presented in the EIS and...or what was before the Land Use Commission and it does differ considerably. But just maybe if I could explain a little bit about Project District Phase 1. What the Commission is being ask to make a recommendation to Council, is, it's just you know, Council you should approve this zoning and establish the project district. And there's exhibits in here with all the standards and all those kinds of things. Phase 2, they're actually gonna develop a map, they're gonna show hopefully the buffers along the streams and more detail with you know, where the parks are gonna go. And right now with...this is Exhibit 4 in your staff report, it is very conceptual and it just reports residential, residential, some park, couple roads and VMX. We're hoping this comes back with a lot more detail and you know, I'm a little concerned about the VMX just being oriented towards the highway, the park, I am not sure that this is enough park space for those number of homes, those kinds of things, but we will work together with A&B, happy to do so to get this project off the ground. So we are fully in support of granting this Phase 1 zoning.

Chair Ball: Commissioner Hedani?

Mr. Hedani: Part of the reasoning you know of my suggestion was that because there are impacts that the project would create to the existing Waikapu community tying in the corridor or the park open space corridor to the existing Waikapu residents on the upside would give them something positive that comes out of the project that they can benefit from as well as absorbing the impacts of traffic going up into Honoapiilani Highway.

The other comment that I have if I could continue is that I really like the architectural renderings that you provided here. I think it shows a sense of place. I think it shows a mix of types of housing that would be truly attractive to a lot of people. Attractive to a lot of the 850 people that Eric was talking about of which only 56 had a chance to get a home. So I think the project is hugely attractive from that standpoint. I also like the ratio that you have of residential to VMX in the total project area that's displayed because we need the housing. We don't need a Long Island solution with

10,000 units on a 123 acres to make Waikapu to look like Long Island but I think the project that you proposed has a sense of place and it has the opportunity to be embraced by the Waikapu community.

Chair Ball: Commissioner Higashi?

Mr. Higashi: Grant, I think from a commissioner's standpoint it will help us if A&B can give us kind of like a master proposed plan for Phase 1 and Phase 2 showing where you're gonna have your affordable housing, approximately how many affordable like for young couples with condos at whatever market price you figure it might. I think it will be a better selling point to get the project off the ground if we know because most of us are concerned about affordable housing and approximate number would definitely assist us in getting a better picture of the whole plan rather than only looking at the small Phase 2 part if we could see Phase 1 how you're gonna propose to do that, that might help us.

Mr. Chun: Okay, well just to speak to that and to clarify the process going forward. Definitely what's referred to as Phase 2 Project District review before this Commission those kinds of information and that level of detail will definitely be reflected in the follow up Phase 2 review for Waiale South. Now for Waiale North the issue as I had put out there previously. There's a lot going on in Waiale North that we don't control and so the concern on our part has been in order to be sort of responsive to that to develop a plan that is in concert with that, so basically have a neighborhood that fits and doesn't look real piecemeal, we're gonna have to let the State and County do their thing and establish their own plans for how the...how that area adjacent to Maui Lani is gonna look and feel, yeah. So that's really gonna inform how we do a good job in planning for Waiale North. So long story short, when we come back together with the Planning Director and Department with that level of detail it will be for the south, yeah. We won't, we won't, honestly we really won't have that level of detail for the North for a while because we're waiting. We're waiting to make sure we do a good job and plan in accordance with what the various agencies are doing.

Chair Ball: I have a question for you on the Exhibit 4, and you show an exit onto Kuihelani from the project?

Mr. Chun: Oh, yes. Yes sir.

Chair Ball: Is that mandated or is that be something that's eliminated?

Mr. Chun: That is actually an existing permitted access that's been there--

Chair Ball: That's the second light that's out there now?

Mr. Chun: No. It's beyond there. So the second light that's just past, immediately past Waiko Road will go away.

Chair Ball: Oh okay.

Mr. Chun: Yeah. And this second access will basically replace that. And it's desirable in the

context of relieving stress on Waiko Road and allowing people to go directly onto Kuihelani especially Lahaina bound traffic or even traffic coming into the community won't necessarily have to go to Waiko Road. So that's the idea.

Chair Ball: I was just concerned that we have another light, another light, and another light like how we fixed ...(inaudible)...

Mr. Chun: Yeah so that light that's there now will go away.

Chair Ball: Okay.

Mr. Chun: And this will replace that. So it will be further apart actually where it is now.

Chair Ball: Excellent. Anyone else? Is there a motion?

Mr. Robinson: I have, I have...I apologize I was ...(inaudible)...

Chair Ball: What are you apologizing for?

Mr. Robinson: For you guys. I wanna ask a question for Grant.

Chair Ball: Oh okay. Continue.

Mr. Robinson: You can do the motion after that. Sorry, Grant.

Mr. Chun: Oh, no.

Mr. Robinson: So with the housing being developed Grant, and the middle school being on the next phase is...did I hear you correctly saying that Maui Waena is already suitable to handle the influx of children and Pomaikai is also able to handle the influx if those in five years?

Mr. Chun: No. Actually, you know, actually as luck would have it I wear another hat, yeah.

Mr. Robinson: Oh, okay.

Mr. Chun: I sit on the Board of Education for Maui, and so the department has a pretty comprehensive strategy for addressing the needs of the school populations as anticipated going forward and that's why the key facility that has been identified as being necessary for the Kahului area in particular is a middle school. The anticipated population demands on the Central Maui schools are gonna shift somewhat because ultimately there will be a new school in Kihei, and right now a lot of students are coming in from Kihei to go to school in Central.

Mr. Robinson: For the high school or for the—

Mr. Chun: For the high school. For the high school. So right now that's what the DOE is calling for as being necessary for its long range plans and we have actually entered into an educational

contribution agreement with them to provide that parcel.

Mr. Robinson: So that new building at Maui Waena how many more students is that gonna hold when it opens next year?

Mr. Chun: You know, I'm not sure.

Mr. Robinson: Sorry, DOE I figure I could slide that in and ask that.

Mr. Chun: Yeah, I wish did. If I knew I'd tell you.

Mr. Robinson: Last question I have please. Grant, is there any restrictions on the people that's gonna purchase these homes that they have to first time home buyers or single home buyers or any type of those restrictions or is it first come, first serve?

Mr. Chun: The County ordinance has a preference in favor of first time home buyers. So they get basically first dibs if you will on the homes that are priced in that affordable range per ordinance.

Mr. Robinson: And how does that preference work? If 2,000 people signed up they would have a list if they're first time home buyer?

Mr. Chun: Yeah, and actually it's fairly fleshed out in the ordinance. If you've owned a home or greater than 50 percent interest in a home in the past three years then you cannot be considered for a first time. You cannot be considered as a first time home buyer.

Mr. Robinson: For this whole project?

Mr. Chun: For this whole project, yeah.

Mr. Robinson: Okay.

Chair Ball: Commissioner Medeiros?

Mr. Medeiros: I'd like to move to approve.

Mr. Lay: Second.

Chair Ball: Moved by Medeiros, seconded by Commissioner Lay. All in favor, please say aye, raise your hand. Oh, Director?

Mr. Spence: Commissioners, we received that letter from Department of Transportation with some recommended conditions either...at a minimum it needs to be noted for the record that we've received it. And kinda maybe stressed a little time to discuss them thoroughly. Would you like to include those recommended conditions or would you like to pass those along to the County Council for their consideration? The record needs to reflect more than...

Ms. Duvauchelle: I have to talk? I would move that we pass them onto County Council.

Mr. Spence: Okay.

Chair Ball: Is there a second for that?

Mr. Higashi: Second.

Chair Ball: All in favor of passing those along please raise your hand?

Mr. Spence: Okay, that's six ayes.

Chair Ball: That's everyone.

It was moved by Ms. Duvauchelle, seconded by Mr. Medeiros, then

**VOTED: To Forward the Department of Transportation's Recommended
Conditions to the Maui County Council for Their Consideration.
(Assenting - S. Duvauchelle, J. Medeiros, I. Lay, W. Hedani,
K. Robinson, R. Higashi)
(Excused - L. Hudson, M. Tsai)**

Chair Ball: Thank you.

Mr. Spence: Thank you.

Chair Ball: Commissioner Hedani?

Mr. Hedani: Discussion on the main motion? Actually it's still a question for Grant. Grant?

Mr. Chun: Yes.

Mr. Hedani: The Kahului Shopping Center, the super block, what is happening on that and the reason I ask is because you know the Commission views proposals that come to us, we approve it and then nothing happens. From my perspective, I wouldn't want the same thing to happen here. So the question is, is it moving?

Chair Ball: Let's...can you rephrase that question to be specific about this project?

Mr. Hedani: From the standpoint of this particular project on a timing basis can really look to A&B to move forward expeditiously on it on a time frame that will deliver housing in the near future? And at the same time can you give me an update on the Kahului Shopping Center project?

Chair Ball: You can answer the first one. You don't have to answer the second one.

Mr. Chun: I can talk to you after about the other one, but with regard to...we are under a condition

of the State Land Use Commission to basically move forward with this project within a 10-year window since approval by the Land Use Commission which was in 2012. So just to give you a time line as far as what our intention is. Our goal is to deliver homes within two and a half years after zoning is established. So once, assuming we're fortunate enough to have affirmative motion today, we still have to work with the County Council to establish zoning and then of course, continue our ongoing discussions and work with you all and the Department on the Phase 2 and Phase 3 Project District. But the goal is the first homes in this area in the 2018-2019 time frame. So that's why we just need to move things along so that we can achieve that.

Mr. Hedani: Thank you.

Mr. Chun: Okay, and I'll talk to you about the--

Chair Ball: Yes, and the other reason why I stopped you on that second question is because we did not agenda item that and so we don't wanna break any rules. Commissioner Lay?

Mr. Lay: Can I...back to Grant again, Grant I have a question just on everything, processing and being done in the right way, you're saying that a lot of these couples out there that you know, the first time homeowners, first time buyers is there anyway that you guys are helping out to educate these guys so they know what they're getting into and what it takes to get into your affordable housing?

Mr. Chun: We are. We actually we've reached out gosh I would say over a 1,000 individuals, employees of ours, employees at the various banks, different constituencies of...just Friday I was at the Westin Maui's Employee Health and Wellness Fair to make folks aware of a requirement that actually has kicked in nationally that first time home buyers actually a course in order to satisfy, in order to satisfy requirements to qualify for certain kinds of loans. So it's not just a nice to have in many cases, to get access to the pots of money that are made available through the lending institutions by the Federal Government people need to take these classes. And the reason they've been actually kicked up to the level of being required is because of course, during the downturn there was such an issue with people basically having gone into situations they probably shouldn't had gone into in the first place. So yeah, we've actually since the tail end of September and into October, we've been working with Hale Mahaolu which is a certified trainer in home buyer education and we've signed up classes of about 30 participants. So far, yesterday was sixth group, sixth or seventh group that had their two session, first of their two session class. So yeah, we're really wanting to...you know we're all concerned about you know, the local community and the next generation and so that's part of it. You know, that's why we're kind of...it's actually not our job to make people take this class but we just feel like so that they can be prepared to qualify for the loan when they try and go for a home and this is in our Kihei project. We really felt like, you know, if they're not getting the information then maybe we need to just take the lead and provide that, so thank you.

Mr. Lay: Thank you, Grant.

Chair Ball: Commissioner Medeiros?

Mr. Medeiros: I feel because we do have...and not just the homeless problems that you read about in the paper. Chubby brought up the hidden homeless. There are families that are living together, you know, and a lot of them do qualify for affordable housing and listening to testimony people are saying are it's not enough, it's not enough or it's too high or what's...what I find baffling is you know, it's too high in my opinion, but there's a line to buy it. You know, I mean, you have earlier testimony said a 1,000 people applied for 52 units in Waikapu or 59 units, you know. Even though the affordable housing is too high in my personal opinion, people need it because parents want to get rid of their kids but they wanna be able to drive to their house, you know. I'm gonna vote for this because you gotta start somewhere and while this won't solve the entire problem it's a damn good start.

Chair Ball: Commissioner Robinson?

Mr. Robinson: I like A&B and A&B does a lotta great things for Maui, but I don't think this project is one of 'em. I don't think this is an affordable housing project. When something is 25 percent affordable, when you have to make \$30 an hour to just be in the realm of it and that's using 45 percent of your wages. That's not Dream City. That's captured, that's I'm stuck, that's recipe for foreclosure. I'm glad they have these classes going on. I mean, there's not regular hotel workers that are making \$30 an hour, you know. There's construction workers which is good, and you know, they earn their trade. But this is not an affordable project if it's only 25 percent. This is a housing project. This is a housing project that we're gonna change the zoning for so now the land that could have been a lot more expensive these houses are gonna be in that range. And yeah, a lot of middle to upper income and married families are gonna be able to get a home, but some are also gonna buy their home and rent out their other one. I'm not gonna stop this project 'cause we need houses period in Maui regardless of what it is. But I don't think it's affordable. I was hoping that A&B would...being as, you know, a influence on Maui as it is kind of hopefully have been the leader and maybe gone a little bit more with affordable housing. In fact gone overboard because they got Phase 2 where they can make it back or they can make it back somewhere else. They're a great company. They got lotta resources. You know, my personal opinion, I just wish it wasn't 20 percent or 25, it was closer to the 50 like how we used to have. Thank you.

Chair Ball: Thank you. And just as a clarification this is not coming in as an affordable housing project.

Mr. Robinson: It's been called that all day and I just wanted to clarify it.

Chair Ball: Commissioner Hedani?

Mr. Hedani: I'd like to speak in favor of the motion. I believe that this Commission over the past year has been busy converting residential housing units to hotels. We've basically taken residential units out of inventory and converted them to B&Bs and TVRs. This is the first opportunity that has come by to create housing that's new, that's real, and that would satisfy a need that definitely exists out there. We need to move in the right direction. We can say it has to be a 100 percent affordable and we get nothing built. We get a 100 percent of nothing. This is something. We've asked it to be independent in terms of water. They have to go find their own water not tap off the existing systems. They have to find their own sewage treatment process. They can't dump into the existing

system that exists. That's a lot of overhead cost. The sewage treatment plant out at Kaanapali cost \$14 million 20 years ago. So it's a big nut to crack. It's a requirement that they have to meet. And those are the things that go into the economics of the project that make it have to have a balance to some degree. I think they've got a good start. I really like the architectural. I think it has a sense of character that can be embraced and I think it provides an opening for the future for our children.

Chair Ball: Thank you. Anyone else? Commissioner Lay?

Mr. Lay: Well, it's already been presented and presented again, and again, and again, we need houses here in Maui. We have to start building houses here in our Maui for our people here. If we don't start somewhere, we won't it all, and like we said well, 100 percent no houses compared to we got something moving along in the right direction. So I'm all for this project. We should have more projects come before us so we help other people live and stay on Maui.

Chair Ball: Thank you. Anyone else? Commissioner Hedani?

Mr. Hedani: One other comment that I'd like to pass onto the County Council is that the County Council has participated with us in terms of removing housing from the market with the approval of 800 units of TVRs and B&Bs. So they need to work on providing housing in a positive manner.

Chair Ball: Okay, anyone else? Commissioner Robinson?

Mr. Robinson: I'd like to second what Mr. Hedani said to the Council and remove the TVRs.

Chair Ball: That's not a motion, okay. Anyone else? Call for the question? All in favor of the motion signal by raising your hand and saying, "aye".

Commission Members: Aye.

Mr. Spence: Six ayes.

Chair Ball: Motion carried. We'll take a five-minute recess.

It was moved by Mr. Medeiros, seconded by Mr. Lay, then

VOTED: To Recommend Approval of the Community Plan Amendment and Change in Zoning, and Phase I Project District Approval to the County Council, as Recommended by the Department.
(Assenting - J. Medeiros, I. Lay, W. Hedani, S. Duvauchelle,
K. Robinson, R. Higashi)
(Excused - L. Hudson, M. Tsai)

A recess was called at 2:02 p.m., and the meeting was reconvened at 2:10 p.m.

Chair Ball: Okay, let's call this meeting back to order. If it's okay with the Commission we are