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Date: 9/7/2020 1:35 PM
Subject: MLP testimony on WMCP Update for Planning Commission Sept 8 Special Meeting
Attachments: MLP Planning Commission Testimony WMCP Update (9-8-20).pdf

Dear Chair Carnicelli and Commission Members,

On behalf of Maui Land & Pineapple Company Inc. I am transmitting the attached testimony on the Draft West Maui Community Plan Community Plan Advisory Committee Draft for the Planning Commission Special Meeting on Sept 8, 2020 at 1 pm.

Tom Schnell, AICP
Principal

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As we continue to monitor the spread of COVID-19, PBR HAWAII will remain open for business (and collecting U.S. Postal Service mail) with our staff working remotely. We have the ability to host and participate in online conference calls and meetings to meet your project needs. As always, PBR HAWAII is committed to providing you with the high level of service you have come to expect from us. Please feel free to reach out to any of our staff by email or phone if you have questions or have a delivery for us. We wish you all great health!



Maui Land & Pineapple Company, Inc.

September 7, 2020

Maui Planning Commission

**SUBJECT: MAUI LAND & PINEAPPLE COMPANY INC., TESTIMONY ON THE DRAFT WEST MAUI COMMUNITY PLAN COMMUNITY PLAN ADVISORY COMMITTEE DRAFT (UPDATED JUNE 2020)
PLANNING COMMISSION SPECIAL MEETING SEPTEMBER 8, 2020**

Dear Chair Carnicelli and Commission Members,

Thank you for the opportunity to provide written and oral testimony regarding the *Draft West Maui Community Plan Community Plan Advisory Committee Draft*. We previously provided written and oral testimony during the August 25, 2020 Planning Commission Special Meeting (Maui Land & Pineapple Company, Inc. (MLP) testimony dated August 21, 2020).

As expressed in our previous testimony, our main concern with the *Draft West Maui Community Plan Community Plan Advisory Committee Draft* is the elimination of Project District designations and replacement with community plan designations that are not consistent with current Project District zoning and ordinances. Our concern is that inconsistent community plan designations will create conflicts and ambiguities as to the land uses permitted within former Project District areas, where those land uses may be located, and how applications for approval are processed.

The Kapalua Resort includes two Project Districts, which have been on community plans for West Maui starting in 1982 with the Lahaina Community Plan:

- Lahaina Project District 1 (Kapalua), related Project District ordinance codified as MCC Chapter 19.73 in 1989
- West Maui Project District 2 (Kapalua Mauka), related Project District ordinance codified as MCC Chapter 19.92 in 2006

Since the designation, zoning, and codification of these Project Districts, MLP has planned for its future and its land according. Most of Project District 1 has been developed except for two sites. Approximately 125 acres of Project District 2 (Mahana Estates) has been subdivided into individual lots with infrastructure in place and some homes built. As for undeveloped areas of Project District 1 and Project District 2, changing the community plan designation for these areas would have a direct impact on future planning and permitting if uses currently permitted would not be consistent with new community plan designations. The attached overview of Project District 1 and Project District 2 provides information regarding the history, location, area, and land use designations of Project District and Project District 2.

While, as stated in our testimony dated August 21, 2020, we would prefer that the current Project District 1 and Project District 2 designations be retained, at the August 25, 2020 Planning Commission Special Meeting another testifier suggested that the Special Purpose District

designation be clarified regarding existing project districts. We support this approach and suggest the following amendment of the Special Purpose District written description under Section 3.3, Community Plan Designations:

Special Purpose District (SPD)

The Special Purpose District community plan designation is intended to provide for specified land uses that, due to their uniqueness or incompatibility, do not easily fall within one of the other community plan designations. This district applies to airports and ~~may also include~~ includes established project districts that do not easily fall within one or more of the other community plan designations. When applied to established project districts codified under Maui County Code Title 19, Article IV, Regulation of Miscellaneous Areas, all provisions of the project district's ordinance remain in effect.

Consistent with the above clarification of the Special Purpose District written description, we would request that the proposed land use designations within the existing Project District 1 and Project District 2 be changed to Special Purpose District. Specifically:

- Figure 3.2, Community Plan Map (page 87) be revised to show the two current Project District areas within Kapalua as Special Purpose District; and
- Figure 3.3, Subarea 1 (Napili and Kapalua) (page 89) be revised to show the two current Project District areas within Kapalua as Special Purpose District.

Additionally, since there would be no change to the Kapalua area except to designate Project District 1 and Project District 2 as Special Purpose District, we would request that Chapter 3.6, Areas of Change, be revised to delete the section regarding Kapaula on pages 100 and 101 (including Figure 3.8, Area of Change | Kapalua).

Thank you for the opportunity to provide our comments and suggestions. Please contact me if you have any questions or require additional information at (808) 757-2666 or psubrata@kapalua.com.

Maui Land & Pineapple Company Inc.



Paulus Subrata
Vice President

Lahaina Project District 1 (Kapalua)

Overview

Location, Total Area, & Permitted Uses

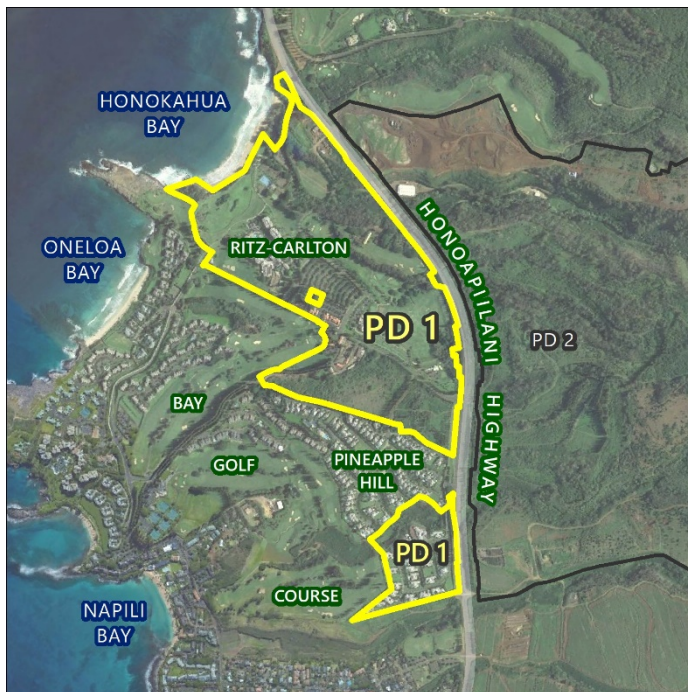
- **Location:** Kapalua, West Maui, makai of Honoapi'ilani Highway
- **Total Area:** 215 acres
- **Permitted Uses:** hotels, multifamily homes, village commercial, parks, facilities preservation/open space
- **Housing Units:** 559
- **Affordable Housing Required:** 25%

Land Use Designations

- **State Land Use:** Urban
- **Maui Island Plan:** Within the Urban Growth Boundary
- **West Maui Community Plan:** Project District 1
- **Zoning:** Lahaina Project District 1 (Kapalua Resort)

Project District 1 Zoning Subdistricts:

- | | |
|---------------------------|------------|
| ◦ Hotel | 30.0 acres |
| ◦ Multifamily | 19.6 acres |
| ◦ Village | 89.4 acres |
| ◦ Park | 39.3 acres |
| ◦ Preservation/Open Space | 13.6 acres |
| ◦ Facilities | 23.2 acres |



Project District 1

Project District 1 Purpose

"To establish a mixture of visitor oriented facilities, including hotel accommodations, single and multifamily residences and supporting commercial services within an open space setting organized around a central village core."

(Chapter 19.73, Maui County Code)

History

- 1982: *Lahaina Community Plan* designated Project District 1 in its current location
- 1989: the Maui County Council approved a Change in Zoning and Project District Phase I for Project District 1
 - Project District 1 is subject to several required agreements (relating to, among other things, affordable housing and park dedication), of which Maui Land & Pineapple Company, Inc. (MLP) has substantially complied
- 1996: *West Maui Community Plan*, retained Project District 1 with no changes in location or area

Current

- Most of Project District 1 has been developed (Ritz Carlton Hotel, Pineapple Hill Estates)
- 46-acre "Central Resort," with Maui Planning Commission approval of a Phase II application and an SMA Use Permit (for 61,000 square feet of commercial space, 126 multifamily units, 10,000 square foot community center and 10,000 square foot administration building), in process of development
- 36-acre "Lot 1-D" in planning and design stage

West Maui Project District 2 (Kapalua Mauka)

Overview

Location, Area, & Dwellings

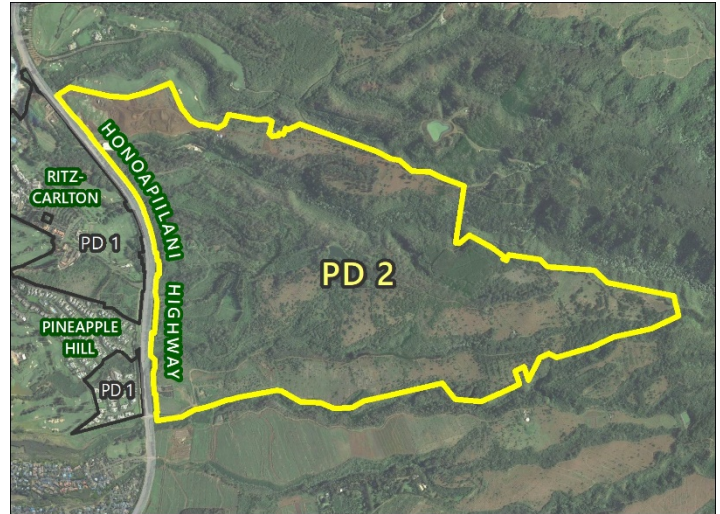
- **Location:** Kapalua, West Maui, mauka of Honoapiʻilani Highway
- **Total Area:** 925 acres
- **Housing Units:** 690
- **Affordable Housing Required:** 25%
125 rental units committed from the Pulelehua project

Land Use Designations

- **State Land Use:**
Urban (650 acres) and Rural (275 acres)
- **Maui Island Plan:**
Within the Urban Growth Boundary
- **West Maui Community Plan:**
Project District 2
- **Zoning:** West Maui Project District 2 (Kapalua Mauka)

Project District 2 Zoning Subdistricts:

- Village District 265 acres (maximum):
 - Residential 260 acres
 - Commercial 5 acres
- Rural Residential District:
 - 275 acres (maximum)
- Golf Course/Park District:
 - 250 acres (maximum)
- Resort Open Space District:
 - 135 acres (minimum)



Project District 2

History

- 1982: *Lahaina Community Plan* designated Project District 2 slightly to the south of the current Project District 2
- 1996: *West Maui Community Plan*, when adopted, designated 450 acres as Project District 2 where much of Project District 2 is now
- 2006: the Maui County Council expanded Project District 2 to its current configuration (925 acres) and reduced the number of residential units from 750 to 690.
 - Project District 2 expansion subject to 13 conditions, which MLP has complied with or is complying with on an ongoing basis
- 2006: Maui Planning Commission approved the Project District Phase II application for Mahana Estates, a 125-acre area of Project District 2
- 2007: Planning Department approved the Project District III application for Mahana Estates

Current

- 125-acre Mahana Estates subdivided into individual lots with all infrastructure in place and some homes built
- Balance of Project District 2 to be developed over next 20 years

Project District 2 Purpose

"To provide for a flexible and creative approach to development that considers physical and environmental factors in a comprehensive manner and that will result in a low-density, primarily residential and recreational development."

(Chapter 19.92, Maui County Code)