

# MINUTES

## LAND USE COMMITTEE

Council of the County of Maui

Council Chamber

March 15, 1999

**CONVENE:** 1:38 p.m.

**PRESENT:** Councilmember J. Kalani English, Chair (In 1:39 p.m.)  
Councilmember Charmaine Tavares, Vice Chair  
Councilmember Michael A. Davis, Member  
Councilmember John Wayne Enriques, Member  
Councilmember G. Riki Hokama, Member  
Councilmember Dain P. Kane, Member  
Councilmember Patrick S. Kawano, Member (Out 4:41 p.m.)  
Councilmember Dennis Y. Nakamura, Member  
Councilmember Wayne K. Nishiki, Member

**STAFF:** Richelle K. Kawasaki, Legislative Analyst  
Jo-Ann C. Sato, Committee Secretary

**ADMIN.:** Kelly Cairns, Deputy Corporation Counsel, Department of the Corporation  
Counsel  
John E. Min, Planning Director, Department of Planning  
William Spence, Planner, Department of Planning  
Ann Cua, Planner, Department of Planning  
Charles Jencks, Director, Department of Public Works and Waste  
Management (In 3:00 p.m.)  
Julie M. Higa, Planner, Department of Planning  
Joseph W. Alueta, Department of Planning  
Clayton Yoshida, Deputy Director, Department of Planning

**OTHERS:** Melinda Anne Mower, Owner, Aloha Lani Inn (Item No. 18)  
James Peck (Item No. 18)  
Buck Buchanan (Item No. 18)  
John Barbier (Item No. 18)  
Tanna Swanson (Item No. 18)  
B. Martin Luna, Attorney for Kaonoulu Ranch (Item No. 33)  
Michael Munekiyo, Munekiyo, Arakawa, & Hiraga, Inc. (Project Manager)  
(Item No. 33)  
Henry Rice, Kaonoulu Ranch Company, Ltd. (Item No. 33)  
Glenn Tadaki, Planner, Munekiyo, Arakawa, & Hiraga, Inc. (Item No. 33)  
Warren S. Unemori, Warren S. Unemori Engineering, Inc. (Item No. 33)  
Julian Ng, Traffic Engineer, Julian Ng, Inc. (Item No. 33)

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in the public . . . in a public forum. And, and again, Mr. Chairman, as I said, I want to just say that I'm not going to be voting for this project because we've not really exhausted our examination of this project and it just seems like a back door deal. Thank you.

CHAIR ENGLISH: First of all, the Chair resents that. There is no back door deal here. This is called democracy, Wayne. So I'm sorry that you have that opinion but that's not the opinion of the rest of this body nor myself. Charmaine.

COUNCILMEMBER NISHIKI: . . . (INAUDIBLE)

COUNCILMEMBER TAVARES: Thank you, Mr. Chairman. I just wanted to clarify that in the motion that you're going to be looking at the ordinance that's a draft ordinance right now and that the conditions that were recommended by the Planning Commission are attached.

CHAIR ENGLISH: Correct.

COUNCILMEMBER TAVARES: And those conditions will be also included in this.

CHAIR ENGLISH: Right. And also within that, is that we change the date from 1998 to 1999.

COUNCILMEMBER TAVARES: Okay.

CHAIR ENGLISH: You know, the technical corrections and the final thing is that the location to be changed, if necessary, based on the findings after they look at that.

COUNCILMEMBER TAVARES: Okay. If I may continue, Mr. Chair.

CHAIR ENGLISH: Yeah.

COUNCILMEMBER TAVARES: I'm going to be supporting this motion. I've read through the materials and I think the questions that I had were answered. When Charlie talked about the drainage and other things that this is not the last time it's going to be reviewed as far as drainage, we're talking about a change in zoning. A change in zoning is to accommodate what this Council passed in the community plan designation. The other thing that I particularly like about this project is that it's offering property in fee simple terms to people who want to do light industrial activities. This is not a case where it's going to be leasehold land and some developer or somebody is going to be managing this at great profit. It's for entrepreneurs or whoever to really start their own businesses. I look at this as an opportunity for economic development in our County and I don't have

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any personal reason to hold this up. I think the Planning Commission has reviewed this and through their review have put in conditions that I think can be satisfied quite easily and it seems like the developer is receptive to that. I'm ready to act on the motion. Thank you.

CHAIR ENGLISH: Okay, thank you. Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, yeah, just for clarification my request for site inspection, Chairman, is prior to first reading unless there's objections by the other members.

COUNCILMEMBER KANE: I'm supportive to that as well, Mr. Chairman, before first reading.

CHAIR ENGLISH: Okay. Fine. And Members, I just ask that when we come out with the schedule for it, please avail yourself of it because we're in the middle of budget as well. So when I do schedule it and I'll try and do it quickly.

Members, you know the staff has brought up a good point on this. Between now and first reading we may not be able to get it posted. Can we, you know, would you be amenable to scheduling as we've done in the past individual trips out? I'm sure the applicant would help us with that. If not, then perhaps we can do it between first and second reading because of the posting time.

COUNCILMEMBER HOKAMA: Can we get a response from the applicant, Chairman?

CHAIR ENGLISH: Would you be open to that?

MR. MUNEKIYO: We'd be happy to accommodate Council members individually to review the site if they so desire.

CHAIR ENGLISH: Okay. Would that be acceptable? Um, first, Mr. Hokama 'cause you put it out, then Mr. Kane and then Mr. Nishiki.

COUNCILMEMBER HOKAMA: Uh, you know, Chairman, my request for prior to first reading is that in case there are things after the site inspection that we feel is important enough to either address during our deliberations during first reading, then I would think it would be appropriate then that we would make the amendments or revisions to the proposed ordinance and that is why my request is prior to first reading. And I need to have an explanation as to why the posting is a problem.