

LINDA LINGLE  
GOVERNOR



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

2003 MAR 28 P 2:51  
LAND USE COMMISSION  
STATE OF HAWAII

March 20, 2003

Office of Administrative Services

MEMO TO: Mr. Anthony J.H. Ching, Executive Officer  
Land Use Commission, DBED&T  
F R O M: *Raynor M. Minami*  
Raynor M. Minami, Director  
Facilities and Support Services Branch  
SUBJECT: Education Contribution Agreement for Parcel 21  
The Vintage, South Beach Mauka, Kaanapali, Maui  
LUC Docket No. A90-658/AMFAC/JMB HAWAII INC

The Department of Education (DOE) has not received a response from Mr. Howard Kihune regarding his obligation to meet the State Land Use Commission condition to provide a pro rata share for school facilities for the Vintage, a 73-unit residential project within South Beach Mauka, Kaanapali, Maui.

The DOE is now seeking your assistance in enforcing the condition imposed on West Maui Development Company, LLC.

The DOE's contact with Mr. Kihune included two brief telephone conversations in the fall of 2002 when the DOE first inquired about the fair-share contribution from the Vintage and a second follow-up call.

An educational contribution agreement was sent to Mr. Kihune asking for payment of \$67,890 or \$930 per unit which is the same rate of contribution made by the other developments in South Beach Mauka.

We requested a reply by March 7, 2003 and no response has been received as of this date.

The DOE would appreciate your efforts to secure a fair-share contribution from the Vintage.

Should you have any questions, please call Ms. Heidi Meeker of the Facilities and Support Services Branch at 733-4862.

Thank you.

RMM:HM:hy

cc: Rae M. Loui, OAS

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LAND USE COMMISSION  
STATE OF HAWAII

2003 FEB -4 P 9:08

OFFICE OF BUSINESS SERVICES  
January 31, 2003

Mr. Anthony Ching  
Executive Director  
Land Use Commission  
P.O. Box 2359  
Honolulu, Hawai'i 96804-2359

Dear Mr. Ching:

Subject: Education Contribution Agreement for South Beach Mauka, Kaanapali,  
Maui, LUC Docket No. A90-658/AMFAC/JMB HAWAII INC

The Department of Education (DOE) is concerned that one project within the South Beach Mauka area has been fully developed without any consideration for the condition set by the Land Use Commission (LUC) that the petitioner provide its pro rata share for school facilities. Other projects within the area have met the condition by coming to an agreement with the DOE and are currently making payments in lieu of land to schools that serve the area.

"The Vintage" is a 73-unit single family project that was constructed in 2000 and occupied in 2001. The project covers 16.9 acres and was identified as Parcel 21 in the LUC Decision and Order issued in 1991 and in subsequent annual reports to the LUC.

The DOE requests that the LUC determine if a school fair-share contribution is required from the developers of The Vintage and to inform us of the consequences of a development failing to meet your education condition. Should you have any questions, please call Ms. Heidi Meeker of the Facilities and Support Services Branch at 733-4862.

Your assistance in this matter is appreciated.

Very truly yours,

Raynor M. Minami, Director  
Facilities and Support Services Branch

RMM:mp

cc: P. Hamamoto, Superintendent  
A. Suga, OBS