

1 **WRITTEN DIRECT TESTIMONY OF GLENN TADAKI**

2 1. **Please state your name and business address for the record.**

3 Glenn Tadaki
4 Chris Hart & Partners, Inc.
5 115 N. Market Street
6 Wailuku, Hawaii 96793

7 2. **What is your current occupation?**

8 I am a Senior Associate for Chris Hart & Partners, Inc. Our firm specializes in landscape
9 architecture, land use planning, and land use permitting. We also prepare and process
10 environmental review documents such as environmental assessments and environmental impact
11 statements.

12 3. **How long have you worked at Chris Hart & Partners, Inc.?**

13 Since September 2004. Prior to that, I was a planner with Munekiyo & Hiraga, Inc. from
14 September 1993 to July 2004.

15 4. **How long have you been specializing in land use permitting and environmental**
16 **reviews?**

17 20 years.

18 5. **Is Petitioner's Exhibit 34 a true and correct copy of your resume?**

19 Yes.

20 6. **Please briefly describe your educational background.**

21 I attended the University of Hawai'i, Hilo College, studied Liberal Arts, and received an
22 Associates Degree in Business.

23 7. **To what professional organizations do you belong?**

24 None at present. I am a past member of the Hawai'i Chapter of the American Planning
25 Association (1993-2004) and a former state Certified Residential Appraiser (CRA-337). I have
26 also attended various planning and informational workshops over the years.

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8. **What is your primary role as a planner?**

I prepare and process environmental review documents and various types of applications for land use permits and approvals including, but not limited to, requests for District Boundary Amendments, Community Plan Amendments, Zoning Changes, Special Management Area Use Permits, Special Use Permits, and Use Variances. As part of the environmental review and permitting process, we interact with government agencies, community organizations, and interested parties, and represent our client at various neighborhood, board, commission, and council meetings.

9. **Please briefly describe some of the projects that you have been involved with over the course of your career.**

- DHHL Waiohuli Residential Subdivision
- Hawai'i Army National Guard Armory at Pu'unene
- Honoapi`alani Highway Widening – Ka`anapali to Honokowai
- Starwood Ka`anapali Ocean Resort – Phase I and Phase II
- Kahului Airport Terminal Improvements
- Lahaina Bypass – Puamana to Honokowai
- Lanai City Housing Development pursuant to Section 201E-210, HRS
- Maunaloa Village Housing Development pursuant to Section 201E-210, HRS
- Maui Memorial Medical Center Expansion

10. **Do you have a specialized knowledge of the land use permitting system and land use policy in Hawaii?**

Yes, I am aware of, and familiar, with governmental plans, policies, and controls through my work and experience on numerous projects in Maui County.

11. **Have you ever appeared as an expert witness or an authorized project representative during the environmental review and/or land use permitting process?**

I have not previously served as an expert witness but have appeared many times at board, commission, and council meetings as an authorized project representative.

1 12. **Are you familiar with the proposed Pu'unene Heavy Industrial Subdivision project**
2 **("Project") and the Petition Area?**

3 Yes, Chris Hart & Partners, Inc. was hired by the Petitioner, CMBY 2011 Investment,
4 LLC, to prepare an Environmental Assessment (EA) for the Project in April 2011. Early
5 consultation for the preparation of the Draft EA (or DEA) commenced on June 23, 2011 when
6 letters requesting comments on the project were sent to various government agencies and parties,
7 including the Maui Planning Commission (MPC), which served as the approving agency for the
8 environmental review process.. The DEA for the Project was published in the June 8, 2012
9 edition of the Environmental Notice, a bi-monthly document published by the State Office of
10 Environmental Quality Control (OEQC). The statutory comment period for the DEA expired on
11 July 9, 2012. At its meeting on June 26, 2012, the Maui Planning Commission (MPC) provided
12 their comments on the DEA. All substantive comments received during the DEA comment
13 period were evaluated and addressed in the Final EA (or FEA). At its meeting on November 27,
14 2012, the MPC accepted the FEA and issued a Finding of No Significant Impact (FONSI). The
15 publication of the FEA and FONSI appeared in the Environmental Notice on January 8, 2013.
16 The 30-day challenge period for the FEA expired on February 7, 2013 with no legal challenges
17 being filed. The FEA was filed with the Petition as Petitioner's Exhibit 1.

18 13. **How many studies were conducted for the Project?**

19 A total of 15 studies were undertaken for the Project and include the following: 1) Flora Survey,
20 2) Faunal Survey, 3) Arthropod Study, 4) *Nene* Survey, 5) Noise Study, 6) Air Quality Study, 7)
21 Archaeological Inventory Survey, 8) Archaeological Monitoring Plan, 9) Cultural Impact
22 Assessment, 10) Phase I Environmental Site Assessment and Supplemental Data, 11) Market
23 Study, 12) Agricultural Impact Assessment, 13) Groundwater Resources & Water System
24 Assessment, 14) Preliminary Engineering Report, and 15) Traffic Impact Analysis Report.

25 14. **Please provide an overview of the development plan for the Project.**

26 The Project is a proposed heavy industrial subdivision known as the Pu'unene Heavy Industrial
27 Subdivision. Up to 28 lot heavy industrial lots ranging in size from 0.5 acre to 20 acres are
28 proposed, as well as site work (e.g, grading), landscaping, and associated infrastructure
improvements to support the Project including internal subdivision roads, drainage retention

1 basins, and utility systems (e.g., telephone, cable, electricity, private water system, individual
2 wastewater systems, etc.). The actual number and size of the lots will be heavily influenced by
3 prevailing market conditions at the time CMBY is ready to proceed with construction. The
4 precise uses that will be developed within each lot at the Project will be dependent upon the
5 particular needs of the lot buyer. However, after obtaining the Commission's approval of this
6 requested boundary amendment, Petitioner intends to seek a rezoning from the Maui County
7 Council to have the Petition Area rezoned from Agricultural to M-3, Restricted Industrial. The
8 M-3, Restricted Industrial District was established very recently, under Ordinance No. 3977,
9 enacted on September 24, 2012, a copy of which was filed as Petitioner's Exhibit 39. Any
10 number of the uses permitted within the M-3 District may be developed by end-users within the
11 Project. However, Petitioner does not intend to develop the Petition Area as a landfill, which is a
12 permitted use within the M-3 District.

13 **15. Have you read the Petition for Land Use District Boundary Amendment that was**
14 **filed in this Docket?**

15 Yes.

16 **16. Please explain why the Petitioner filed that Petition.**

17 Petitioner filed the Petition to request that the Commission reclassify the Petition Area
18 from the Agricultural District to the Urban District in order to develop the Project as described
19 above.

20 **17. Are you familiar with the requirement under the Land Use Commission Rules, HAR**
21 **§ 15-15-50(c)(19), which provides: "Petitioners submitting applications for reclassification**
22 **to the urban district shall also represent that development of the subject property in**
23 **accordance with the demonstrated need therefore will be accomplished before ten years**
24 **after the date of commission approval."**

25 Yes. Due to the uncertain and volatile nature of the global economy, and the necessity of
26 obtaining various land use entitlements in order to develop the Project, the estimated timeframes
27 for development may change. However, we anticipate that the land use entitlement process,
28 starting from 2011 (the year that several of the reports for the EA were prepared), could take four
to five years, through final subdivision approval. As such, Project construction could begin in

1 2015 - 2016, and the forecasted construction timeframe is approximately 30 months. All timing
2 is obviously subject to obtaining the necessary entitlements and prevailing market conditions.
3 Petitioner has indicated that development should be completed within ten years of the
4 Commission's approval of the requested reclassification.

5 **18. Please describe the Petition Area.**

6 The Petition Area and the Project as a whole is described in detail in the EA (Petitioner's
7 Exhibit 1), the Power Point presentation, filed as Petitioner's Exhibit 40, and the Petition itself.
8 Therefore, I will provide only a brief summary.

9 The Petition Area is located in Pulehunui, District of Wailuku, Island and County of Maui,
10 State of Hawai'i. The Petition Area consists of approximately 86.030 acres, and is entirely within
11 TMK parcel No. (2) 3-8-008:019 (see Petitioner's Exhibit 5). It is about 1.0 mile southeast of the
12 intersection of Kama'aina Road, Mehameha Loop, and Mokulele Highway, a divided, four-lane
13 facility linking South and Central Maui. The Petition Area is vacant and undeveloped. During
14 World War II, the Petition Area was part of the Pu'unene Naval Air Station (NAS) and was used
15 for military purposes. Following the war, the land comprising the NAS reverted back to HC&S
16 and suitable agricultural lands in the area were used for sugarcane cultivation. The former
17 property owner, Alexander and Baldwin, Inc. (A&B) leased the property to Maui Factors for hog
18 farming purposes in the 1960's. Around 1995, a subsequent lessee began using the site as an
19 unpermitted solid waste management facility (i.e., scrap metal storage) until that use was
20 discontinued in 2007 when A&B terminated the lease.

21 **19. Please describe the land use designations of the surrounding properties.**

22 No residential development is in the immediate vicinity of the Petition Area. The closest
23 residential areas are in Kihei (2.3 miles to the south); Ma'alaea (3.6 miles to the southwest);
24 Kahului (4.0 miles to the north); and Pukalani (6.4 miles to the east).

25 Maui County's Kihei-Makena Community Plan – Project District 10 and the Pu'unene
26 Airport Master Plan area are located to the west of the Petition Area. Project District 10
27 encompasses 561 acres and was established with the purpose of creating a master-planned,
28 expansion area which would meet future recreational needs and provide space for industrial

1 activities whose locations are better suited away from urban areas. See p. 7 of Petitioner's Exhibit
2 40. Uses within Project District 10 include the Maui Raceway Park (a dragstrip approximately
3 0.4 miles to the west of the Petition Area) and other recreational motor sport facilities, and a
4 facility for radio-controlled model airplanes. The Hawaii Army National Guard armory is also
5 located within Project District 10, approximately 0.7 miles to the west of the Petition Area.

6 Sugar cane fields owned by Hawaiian Commercial and Sugar (HC&S) Company are to
7 the north, east and south of the Petition Area. The Hawaiian Cement quarry is approximately 0.2
8 miles to the east of the Petition Area. See p. 4 of Petitioner's Exhibit 40.

9 20. **Are you aware that the Land Use Commission must specifically consider the matters**
10 **listed under § 205-17, HRS, prior to granting a requested reclassification?**

11 Yes, and I believe the Petition and the proposed Project address those requirements, as
12 well as the provisions under HAR § 15-15-50.

13 HRS § 205-17(1) & HAR § 15-15-50(c)16 require an assessment of the proposed
14 reclassification for conformity with the applicable goals, objectives, and policies of the Hawaii
15 State Plan, chapter 226, HRS, and applicable priority guidelines and functional plan policies.
16 Such an assessment is provided in Chapter IV of the Final EA (Petitioner's Exhibit 1). Therefore,
17 I will discuss certain aspects of the Hawaii State Plan that are supported by the development of
18 the Project.

19 The State goals under the Hawaii State Plan include a strong, viable, stable and diverse
20 economy, the development of physical environments that are beautiful, clean and unique, and that
21 enhance the mental and physical well-being of the residents, and the physical, social, and
22 economic well-being for the people of Hawai'i that nourishes a sense of community responsibility
23 and participation. The proposed reclassification is consistent with these goals, objectives, and
24 policies because the Project will increase the economic and employment opportunities for
25 individuals and families who live in Maui County. Direct jobs on Maui are expected to average
26 32 jobs a year during the Project's initial development phase (i.e, subdivision construction
27 period), while indirect jobs are projected to average 33 jobs annually. Indirect employment on
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1 Oahu could possibly add an average of 17 jobs per year during the subdivision construction phase
2 as well.

3 The Project is in keeping with the economic priority guidelines of HRS § 226-103 because
4 the Project will create economic linkages within the local economy through potential lessees and
5 lot purchasers, who in turn will serve other businesses. In addition, the Project will aid in
6 diversifying the State and Maui economies by providing expansion opportunities for heavy
7 industrial businesses. The Project is likewise in keeping with the population, growth and land
8 resources priority guidelines of HRS § 226-104 in that it encourages urban growth in an area
9 proposed for future urban development under the Maui Island Plan. Reclassifying the Petition
10 Area to the Urban District will allow agriculturally marginal lands to be used for heavy industrial
11 purposes, thereby reducing the pressure to reclassify nearby Agricultural District lands that are in
12 active agricultural use.

13 The proposed reclassification is also consistent with certain of the State Functional Plans.
14 Specifically, the Agricultural Functional Plan, the Employment Functional Plan and the
15 Transportation Function Plan. The soils within the Petition Area are highly unsuitable for
16 agricultural uses. As previously noted, the initial development phase of the Project will result in
17 an annual average of 65 direct and indirect Maui jobs a year. After the completion of this phase,
18 individual lot construction (i.e., subdivision lot build out) is expected to create a demand for an
19 average of 70 direct and 72 indirect jobs a year on Maui. Regarding the Transportation
20 Functional Plan, one of its policies and objectives is to maximize joint efforts with the private
21 sector and the State. Petitioner has identified traffic mitigation measures that will be constructed
22 as part of the development of the Petition Area. In addition, Petitioner will improve the portions
23 of the State DLNR easement area to satisfy State requirements as part of the Project's
24 infrastructure development.

25 21. **In your professional opinion, does the Project conform to the applicable goals,**
26 **objectives and policies of the Hawaii State Plan, applicable priority guidelines and**
27 **functional plans?**

28 Yes.

1 22. **Are you aware that under HRS § 205-17(2) the Land Use Commission must assess a**
2 **proposed reclassification to determine the extent to which it conforms to the applicable**
3 **district standards?**

4 Yes, and for this proposed reclassification to the Urban District, those standards are set
5 forth in HAR § 15-15-18. A full assessment of the Project's conformance with those standards is
6 found in Chapter IV of the Final EA. Therefore, I will only briefly summarize that analysis.

7 HAR § 15-15-18(1). Although the Petition Area is not currently characterized by "city-
8 like" concentrations or conditions, it is located in an area that is designated for future urban
9 development under the recently enacted Maui Island Plan. Furthermore, the Central Maui
10 Baseyard, an existing industrial development on 52 acres of land in the State Urban District, is
11 located just 1.3 miles to the north of the Petition Area.

12 HAR § 15-15-18(2)(A). With respect to proximity to centers of trading and employment,
13 the Petition Area is located about 1.0 mile southeast of the intersection of Kama'aina Road,
14 Mehameha Loop, and Mokulele Highway. The distance from the intersection to Kahului is
15 approximately 3.25 miles to the north, and to North Kihei is about 3.75 miles to the south.

16 HAR § 15-15-18(2)(B). With respect to the availability of basic services, such as schools,
17 parks, wastewater systems, solid waste disposal, drainage, water, transportation systems, public
18 utilities, and police and fire protection, the State Department of Education operates several public
19 schools in the Kihei area. However, the Project does not include a residential housing
20 component. As such, no significant impacts to existing educational facilities are anticipated, and
21 no additional park spaces will be needed. With respect to water, sewer and drainage, the Project
22 will develop its own sewer and water systems, and will not place a demand on existing County
23 systems. The Project includes an on-site drainage system to include a master drainage system
24 constructed within the roadways, with catch basins, manholes, drain lines and a drain stubout to
25 each lot. As individual lots are developed, lot owners will be required to install their own onsite
26 drainage system and provide a drain line connection to the drain stubouts on each lot.

27 Development of the Project will create new sources of solid waste. It is expected that
28 during the infrastructure development stage cleared and grubbed material may be used as mulch

1 or transported to the Central Maui Landfill, and that construction waste material will be hauled to
2 the Maui Demolition and Construction Landfill for disposal. Once the Project is developed, an
3 Association of Subdivision Lot Owners will maintain a contract with a private waste disposal
4 service. Thus, no County solid waste services will be impacted.

5 The Petition Area is in close proximity to transportation routes, and as previously stated,
6 traffic mitigation measures will be constructed as part of the Project development. Adequate
7 public utilities are available; there is an existing electrical transmission system traversing
8 Kama'aina Road and South Firebreak Road. Electrical, cable, and telephone systems serving the
9 Project will be installed overhead from the existing overhead facilities located along the north of
10 the Petition Area. Within the Petition Area the electric, cable, and telephone systems will be
11 installed underground in accordance with the utility companies' rules and regulations.

12 Adequate police and fire protection is available for the Project. The Maui Police
13 Department's Kihei Patrol District has a substation at 1881 S. Kihei Road, across from the Kihei
14 Town Center. The County of Maui Department of Fire and Public Safety has two stations in
15 South Maui; one in Kihei and one in Wailea.

16 HAR § 15-15-18(2)(C). The Petition Area and the lands in the vicinity of the Project are
17 either planned or designated for future urban development under the newly established Urban
18 Growth Boundaries of the Maui Island Plan. However, relatively little land in the vicinity of the
19 Petition Area is within the State Land Use Urban District. Therefore, sufficient reserve areas for
20 foreseeable urban growth will remain after the reclassification of the Petition Area.

21 HAR § 15-15-18(3). The Petition Area has satisfactory topography and drainage, and is
22 reasonably free from the danger of any flood, tsunami, unstable soil condition, and other adverse
23 environmental effects. On-site elevations ranging from 140 feet to 120 feet above mean sea level,
24 with an average slope of 1.8 percent. The Petition Area is not located within the tsunami
25 inundation zone and therefore does not lie in an area subject to tsunami evacuation. The Petition
26 Area is located in Flood Zone X, which represents areas outside of the 0.2% annual chance flood
27 plain. There are no known unstable soil conditions nor are there any other adverse physical or
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1 environmental conditions that would render the Petition Area unsuitable or inappropriate for the
2 proposed development.

3 HAR § 15-15-18(4) and (5). Although the Petition Area is not contiguous with State Land
4 Use Urban lands, the Petition Area, the Pu'unene Airport Master Plan area, and Project District 10
5 all fall within the Maui Island Plan Urban Growth Boundaries. The Petition Area is ideally
6 situated for heavy industrial activities given its separation and distance from both residential and
7 commercial development, its convenient and centralized location for customers and suppliers, and
8 its proximity to major transportation facilities.

9 HAR § 15-15-18(6). Arguably the Petition Area is not land characterized as "city-like"
10 under HAR § 15-15-18(1). However, all of the other standards of HAR § 15-15-18 are met. The
11 Petition Area is centrally located near centers of trading and employment and reclassification is
12 needed to support trade and employment. The land is suitable for urban uses and generally
13 unsuitable for agricultural pursuits. The topography and drainage are suitable for the proposed
14 industrial uses and outside of flood and tsunami zones. Lands used for industrial purposes are
15 located very nearby, and the Maui Island Plan encourages the contiguous location of these lands
16 within an Urban Growth Boundary. Therefore, the Petition Area meets the standards set forth in
17 HAR § 15-15-18(1) - (5).

18 HAR § 15-15-18(7). The reclassification of the Petition Area will not contribute to
19 scattered spot urban development or require unreasonable investment in public infrastructure or
20 support services. The Petition Area is adjacent to Project District 10, the Pu'unene Airport Master
21 Plan area and the Pulehunui Master Plan area, all of which anticipate future urban development.
22 The Project will not necessitate unreasonable public investment for infrastructure or public
23 services as there is no residential component within the proposed subdivision, water will be
24 developed privately, and wastewater will be handled on-site.

25 HAR § 15-15-18(8). The Petition Area has an average slope of 1.8% and does not include
26 any slope of 20% or more.

27 23. **In your professional opinion, does the Project conform to the Urban District**
28 **Standards under HAR § 15-15-18?**

1 Yes.

2 24. **Please discuss your assessment of the Project and the proposed reclassification on the**
3 **following areas of State concern: (A) Preservation of maintenance of important natural**
4 **systems or habitats; (B) Maintenance of valued cultural, historical or natural resources; (C)**
5 **maintenance of other natural resources relevant to Hawaii's economy, including**
6 **agricultural resources.**

7 This assessment is similar to that required under HAR § 15-15-50(c)(10), which calls for
8 an assessment of the impacts of the proposed use or development upon the environment,
9 agriculture, recreational, cultural, historic, scenic, flora and fauna, groundwater, or other
10 resources of the area. An assessment of those matters is set forth in great detail in the Final EA
11 and in the Petition. Based on the studies done for the EA, the development of the Project is not
12 expected to result in any significant, long-term negative impacts to environmental or cultural
13 resources.

14 The map identifying the Agricultural Lands of Importance to the State of Hawaii (ALISH)
15 indicates that the land underlying the Petition Area is Unclassified (i.e., residual land), while the
16 overall agricultural productivity rating for the site is "E" as determined by the University of
17 Hawaii's Land Study Bureau (LSB). On the LSB ratings scale, the letter "A" represents the
18 highest class of productivity, while "E" reflects the lowest. The unsuitable soil conditions and
19 poor productivity ratings of the soils within the Petition Area preclude any feasible agricultural
20 development on the site. The Director of the State Department of Agriculture confirmed that the
21 proposed reclassification is not expected to significantly impact agriculture on Maui. See OP's
22 Statement of Position, Attachment C.

23 25. **As provided under HRS § 205-17(3)(D), does the Project involve any commitment of**
24 **State funds and resources?**

25 No. No State or other public funds will be used in the development of the Project.
26 Furthermore, the Project infrastructure will be developed and funded by the Petitioner. The
27 internal roads within the Project will be constructed by Petitioner, and will be privately owned
28 and/or and maintained by the Association of Subdivision Lot Owners.

1 **26. Please briefly discuss the Project's impacts on employment and economic**
2 **development, per HRS § 205-17(3)(E) and HAR § 15-15-50(c)(13).**

3 Development of the Project will increase employment opportunities. Direct jobs on Maui
4 are expected to average 32 jobs a year during the Project's initial development phase (i.e.,
5 subdivision construction period), while indirect jobs are projected to average 33 jobs annually.
6 Indirect employment on Oahu could possibly add an average of 17 jobs per year during the
7 subdivision construction phase as well. After the completion of this phase, individual lot
8 construction (i.e., subdivision lot build out) is expected to create a total annual demand for an
9 average of 142 direct and indirect jobs on Maui, and an average of 38 indirect jobs on Oahu.

10 By providing needed space for heavy industrial users, the Project will also support small
11 business and entrepreneurship. These results are consistent with the Administration's priorities in
12 the New Day Comprehensive Plan.

13 **27. How does the Project address housing needs for all income groups, as described**
14 **under HRS § 205-17(3)(F) and HAR § 15-15-50(c)(14).**

15 The Project will be developed as a heavy industrial subdivision. No residential uses are
16 proposed.

17 **28. Is the Petition Area designated as Important Agricultural Lands under HRS § 205-**
18 **50?**

19 No. The Petition Area is not designated as Important Agricultural Lands.

20 **29. Are you aware that the Land Use Commission must perform an assessment of the**
21 **proposed reclassification for conformity with the objectives and policies of the coastal zone**
22 **management program, chapter 205A, HRS?**

23 Yes.

24 **30. Please discuss your evaluation of the Project's consistency with the goals and**
25 **objectives HRS Chapter 205A.**

26 The Petition Area is not within the County Special Management Area. However, a full
27 assessment of the Project's conformance with the objectives and policies of HRS Chapter 205A is
28 in the Final EA. To briefly summarize:

1 Historic Resources.

2 The Project will not have an adverse effect on historical or cultural resources. The
3 Petitioner had the Petition Area assessed under an archaeological inventory survey ("AIS") and a
4 cultural impact assessment ("CIA"). The AIS was accepted by DLNR-SHPD, and concluded that
5 no further archaeological work would be required. The CIA concluded that there are no specific
6 ongoing traditional cultural practices being exercised at the Petition Area.

7 Economic Uses.

8 The Project will provide privately-owned facilities that will improve the economy by
9 generating good permanent jobs and construction-related job opportunities for Maui residents.
10 Therefore, the Project is consistent with the objective and policies for economic uses.

11 Coastal Hazards.

12 The Petition Area is located in Flood Zone X, which represents areas outside of the 0.2%
13 annual chance flood plain. The Petition Area is not within a tsunami inundation zone. The
14 development of the Project will not cause, or increase, coastal hazards.

15 Beach Protection.

16 The Petition Area is located approximately 2.25 miles inland, away from the shoreline,
17 and as a result, there is no impact on the use of beaches by the public and for recreation.

18 Marine Resources.

19 As stated previously, the Petition Area is about 2.25 miles from the ocean; as such, the
20 proposed development will have no impact on marine or coastal resources. This said, appropriate
21 Best Management Practices will be utilized to ensure that construction runoff is appropriately
22 captured, minimizing the impact on coastal waters.

23 Public Participation.

24 Opportunities for public participation have been available from the early planning stages
25 of the Project. An early consultation letter and copies of the Draft EA and Final EA were sent to
26 the Kihei Community Association (KCA) for their review and comment; however, no comments
27 were received from the KCA. The KCA was also notified by the Petitioner in the months leading
28 up to the filing of the Petition.

1 31. **In your professional opinion, does the Project and the proposed reclassification**
2 **conform to the goals and objectives of HRS Chapter 205A?**

3 Yes.

4 32. **Are you aware that the Land Use Commission must perform an assessment of the**
5 **proposed reclassification for conformity with the County General Plan and the Community**
6 **Development Plan?**

7 Yes. That analysis is required under HRS § 205-17(5) and HAR § 15-15-50(c)(18). The
8 relevant County plans are: (i) the Maui County General Plan; (ii) the Countywide Policy Plan;
9 (iii) the Maui Island Plan; and (iv) the Kihei-Makena Community Plan.

10 33. **Are you familiar with the Maui County General Plan?**

11 Yes. The purpose of the General Plan is to recognize and state major problems and
12 opportunities concerning the needs and the development of the County of Maui, and the social,
13 economic and environmental effects of such development and set forth the desired sequence,
14 patterns and characteristics of future development. Listed among the land use objectives of the
15 General Plan is "To use the land within the County for the social and economic benefit of all the
16 County's residents."

17 34. **In your professional opinion, is the Project in conformance with the General Plan?**

18 Yes. The proposed reclassification is consistent with the land use objectives and policies
19 of the General Plan.

20 35. **Are you familiar with the Countywide Policy Plan?**

21 Yes. The Countywide Policy Plan was adopted as Ordinance No. 3732 on March 24,
22 2010. The document provides an over-arching statement of values for development, and also
23 provides support for the Maui Island Plan and the various Community Plans. The specific core
24 themes of the Countywide Policy Plan that will be supported by the development of the Project
25 are (A) Protect the natural environment; (F) Strengthen the local economy; (I) Improve physical
26 infrastructure; and (J) Promote sustainable land use and growth management.

27 36. **Are you familiar with the Maui Island Plan?**

28

1 Yes. The new Maui Island Plan was approved by the County Council and adopted by
2 County of Maui Ordinance No. 4004, enacted December 28, 2012. Under the new Maui Island
3 Plan, the Petition Area is within the Urban Growth Boundary. In other words, the Petition Area
4 has been selected by the people of Maui County for future urban development.

5 The Maui Island Plan anticipates development in the area in and around the Petition Area,
6 designated as the Pulehunui Planned Growth Area, as "a logical expansion of industrial land use
7 in the area. The area's location, midway between Kihei and Kahului, makes it an ideal site to
8 serve the island's long-term heavy industrial land use needs." See Maui Island Plan at 8-33. The
9 proposed reclassification and development of the Project is in conformance with the Maui Island
10 Plan.

11 37. **Are you familiar with the Kihei-Makena Community Plan?**

12 Yes. The Kihei-Makena Community Plan was first adopted by Ordinance No. 1490 in
13 1985, and was updated in 1997 as part of the County's decennial review of the various community
14 plans. The existing Kihei-Makena Community Plan was adopted by Ordinance No. 2641 and
15 went into effect on March 6, 1998. The Petition Area is designed as Agriculture on the
16 Community Plan land use map. However, Petitioner has submitted an application for an
17 amendment to the Community Plan designation to have the Petition Area designated as Heavy
18 Industrial and the County has confirmed its support for that amendment. The application for a
19 Community Plan Amendment is being held in abeyance by the County until this Land Use
20 Commission reclassification process is completed.

21 38. **Please discuss the Project's conformance with the current zoning designation of the**
22 **Petition Area, as required under HAR § 15-15-50(c)(18).**

23 The Petition Area is zoned "Agricultural" by the County of Maui. Principal permitted
24 uses within the County's Agricultural zoning district include: (1) agriculture, (2) agricultural land
25 conservation, (3) agricultural parks, (4) animal and livestock raising, (5) private agricultural
26 parks, and (6) minor utility facilities. As such, the Project cannot be developed without a
27 rezoning to the M-3, Restricted Industrial zoning district.

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1 A consolidated application for a Community Plan Amendment and a Change in Zoning
2 was filed with the Planning Department on April 16, 2012. Those applications are being held in
3 abeyance by the County until this Land Use Commission reclassification process is complete.

4 The Project is consistent with the uses permitted uses within the County M-3, Restricted
5 Industrial zoning district, which allows for uses that involve the manufacture, processing, storage,
6 or treatment of goods from raw materials. The intent of M-3 zoning district is to provide for
7 manufacturing and nuisance industries, and to exclude retail and office uses. Some specific
8 permitted uses include: canneries; factories; manufacturing facilities; major utility facilities;
9 landfills, lumber yards; machine shops; rock quarries; and material recycling/processing facilities.
10 The minimum lot size in the M-3 district is 10,000 square feet. The minimum lot width is 75 feet,
11 and the maximum building height is 90 feet. Side and rear setbacks are zero feet or the same as
12 the adjoining zoning category whichever is greater.

13 39. **In your professional opinion, has the Commission's decision-making criteria as set**
14 **forth under HRS § 205-17 been satisfied?**


15 Yes, the Commission's decision-making criteria are satisfied.

16 40. **In your professional opinion as an expert in land use planning in the State of Hawaii,**
17 **would you recommend reclassification of the Petition Area for the development of the**
18 **Project?**

19 Yes, my recommendation is to reclassify the Petition Area to the Urban District to allow
20 for the development of the Project.

21
22 DATED: Wailuku, Hawaii, August 15, 2013.

23 Respectfully submitted,

24
25 
26 _____
27 GLENN TADAKI

28 4816-2183-7588.1.064670-00001
8/14/13