MICHAEL P. VICTORINO Mayor

MICHELE CHOUTEAU MCLEAN, AICP Director

JORDAN E. HART Deputy Director





2019 MAR 27 A 7:35

DEPARTMENT OF PLANNING COUNTY OF MAUI ONE MAIN PLAZA 2200 MAIN STREET, SUITE 315 WAILUKU, MAUI, HAWAII 96793

March 21, 2019

MEMORANDUM

TO:

Daniel Orodenker Executive Director

Land Use Commission

State of Hawaii

235 South Beretania Street, Room 406

Honolulu, Hawaii 96804

FROM:

Michele McLean, AICP, Planning Director M

SUBJECT:

DOCKET NO. A94-706 / KAONOULU RANCH

TRANSMITTED ARE THE FOLLOWING:

COPIES	DATE	DESCRIPTION	
Original	3/19/19	List of Witnesses, County of Maui Planning Department	
		List of Exhibits, County of Maui Planning Department	
		Position of the County of Maui Planning Department –Exhibit 1	
		Resume of Michele McLean – Exhibit 2	
Original	3/19/19	Certificate of Service	

()	For your information & files	() For your review and approval
()	For approval & signature	() See REMARKS below
()	Per your request	(X) For filing

Attachments MCM:ATC:lk

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PAGE NO. <u>1</u> OF <u>1</u>.

LAND USE COMMISSION

DOCKET NO./PETITIONER: A94-706 / KAONOULU RANCH

PARTY: COUNTY OF MAUI

LIST OF WITNESSES

(List in Order of Appearance)	AS A WITNESS IN:		(Yes or No)	NUMBER(S)	OF DIRECT
Michele Chouteau McLean, Director, Department of Planning, County of Maui or her representative	anning & Land se	Planning, Land Use	Yes	1	15 Minutes

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LAND USE COMMISSION

DOCKET NO./PETITIONER: A94-706 / KAONOULU RANCH

PARTY: COUNTY OF MAUI

LIST OF EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	PARTY: OBJECTIONS	ADMIT
1	Position of the Maui Department of Planning		
2	Resume of Michele Chouteau Mclean, AICP		

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DEPARTMENT OF PLANNING COUNTY OF MAUI One Main Plaza 2200 Main Street, Suite 315 Wailuku, Hawaii 96793 Telephone: (808) 270-7735 Facsimile: (808) 270-7634

OF THE STATE OF HAWAII

In the Matter of the Petition of:) Docket No. A94-706
KAONOULU RANCH	\
To Amend the Agricultural Land Use District Boundary into the Urban Land Use District For approximately 88 acres at Ka'ono'ulu, Makawao-Wailuku, Maui, Hawai'i, Tax Map Key Nos. 2-2-002: por. of 015 and 3-9-001:016)))

POSITION STATEMENT OF THE DEPARTMENT OF PLANNING, COUNTY OF MAUI

In accordance with the March 1, 2019 letter from the Land Use Commission (LUC) regarding the filing of documents in preparation of an evidentiary hearing on the issues presented in the Motion to Dismiss the Order to Show Cause Proceeding ("Motion to Dismiss") the Department of Planning (Department) submits the following position statement.

The Department's position is consistent with the position statement submitted in response to the motion to dismiss, specifically that before dismissing the Order to Show Cause that the commission be aware of what is being built.

Petitioner is proposing to develop the original 123 lot subdivision presented to the Land Use Commission in order to be consistent with Condition No. 15 which states:

"Petitioner shall develop the property in substantial compliance with the representations made to the Commission. Failure to so develop the Property may result in reversion of the Property to its former classification, or change to a more appropriate classification.

In reviewing Petitioners Exhibits 8 and 9 it is unclear if the "frontage road parallel to Piilani Highway" which is required by condition No. 5 is included on said plans. If it is, we question whether the State Department of Transportation supports the plan as meeting the portion of condition No. 5 that relates to the frontage road".

The Department questions what uses would be allowed in the project area and how the developer will control what uses will be on the property. The Department would also like the Petitioner to clarify how they will assure that the plan complies with the conditions contained in the February 10, 1995 Decision and Order. Finally, the Department notes that Petitioners Exhibit 14 does not include subdivision as a permit or approval that is needed for the project to proceed. We request clarification by the Petitioner on this issue.

The County reserves its right to further clarify its position, present additional witnesses and exhibits as needed upon conclusion of the settlement conference to be held on March 20, 2019.

DATED: Wailuku, Hawaii, March, 21, 2019.

MICHELE MCLEAN, AICP

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Planning Director Department of Planning

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MICHELE CHOUTEAU McLEAN, AICP 38 Hoku Place Pa`ia, Hawai`i 96779 808/385-3480

> PROFESSIONAL PROFILE

Director/Deputy Director. Department of Planning, County of Maui, Hawai'i.

Appointed by Mayor Victorino to manage and administer the department's four divisions and 68 personnel who process administrative and discretionary land use permits. Responsibilities include representing the department before the Maui County Council and various boards and commissions; providing policy guidance and support to all personnel; preparing and presenting the department's annual budget; coordinating departmental functions with other governmental agencies; overseeing procurement and spending; conducting annual performance evaluations and administering personnel matters. (Director: July 2018 – present / Deputy Director: January 2011 – June 2018)

Chair / Commissioner. Kaho'olawe Island Reserve Commission, Maui, Hawai'i.

Nominated by Mayor Arakawa and Governor Abercrombie, and confirmed by the Senate, to serve as the County of Maui's representative on the commission responsible for the management and control of the Kaho'olawe Island Reserve, consisting of the island of Kaho'olawe and its 90 square miles of surrounding waters, and for setting policy for its cultural, marine and natural resource management and restoration programs. (Chair: May 2011 – present / Commissioner: February 2011 – present)

Deputy Director / Policy Advisor. Kaho'olawe Island Reserve Commission, Maui, Hawai'i.

Provided policy and administrative support to the commission and a staff of 24; responsible for all procurement, solicitations and contracting; prepared annual budgets and reviewed monthly spending reports; oversaw filling of personnel vacancies; conducted performance evaluations; coordinated interaction with State Legislature; supervised logistics and operations on Maui and Kaho'olawe. (Deputy Director: March 2008 – January 2011 / Policy Advisor: August 2005 – March 2008)

Land Use Planner. Smith Development, Maui, Hawai'i.

Responsibilities included land use planning, project management and coordination, governmental and public relations, administrative and technical support (April 2002 – July 2005).

Consultant. Chouteau Consulting, Maui, Hawai'i.

Sole-proprietorship providing planning, governmental and public relations services, with a focus on environmental sensitivity, cultural respect and community orientation (October 1999 – April 2002).

Legislative Analyst. Office of Council Services, County of Maui, Hawai'i.

Served as primary legislative staff for several County Council committees handling planning, public works, economic development and environmental issues (May 1995 – September 1999).

Senior Research Analyst. Republican Research Committee, Washington, D.C.

Directed Congressional Task Forces; specialized in social domestic policy; organized press briefings and press conferences; researched, drafted and promoted legislative proposals (October 1989 – August 1992).

Press Secretary / Special Assistant / Legislative Assistant. United States Congress, Washington, D.C.

Served as spokesman; assisted Chief of Staff, served as liaison between Senator and staff members; drafted legislation, monitored Congressional activity (August 1987 – September 1989).

> ACADEMIC PROFILE

American Institute of Certified Planners.

Passed AICP exam November 12, 2018, certified December 21, 2018.

American Planning Association.

Member (March 2018 - present).

University of Phoenix. Wailuku, Hawai'i.

Graduate studies in M.B.A. program (October 1999 - February 2001).

Vassar College. Poughkeepsie, New York.

A.B. Degree in Political Science (September 1983 - May 1987).

COMMUNITY PROFILE

Paia Town Association. Pa'ia, Hawai'i.

Member of the Board of Directors (2014 - present).

Maui Food Bank. Wailuku, Hawai'i.

Member of the Board of Directors (2012 - present).

United States Tennis Association. Maui, Hawai'i.

Team Captain and Member (2013 – present).

Hawai'i Soccer Association. Maui, Hawai'i.

Member, Valley Isle Co-ed Soccer League (August 2000 – 2013).

Team Representative and Member, Valley Isle Soccer Association for Women (May 2001 - 2013).

East Maui Animal Refuge. Ha'iku, Hawai'i.

Member of the Board of Directors (1994 - 2009; President, 2006 - 2009).

Volunteer (1994 – 2009).

County of Maui Board of Water Supply. Wailuku, Hawai'i.

Member (April 2004 - August 2005).

Pukalani Hula Hale. Pukalani, Hawai'i.

Member (August 1997 - July 2003).

DEPARTMENT OF PLANNING COUNTY OF MAUI One Main Plaza 2200 Main Street, Suite 315 Wailuku, Hawaii 96793 Telephone: (808) 270-7735

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of:) Docket No. A94-706
KAONOULU RANCH))
To Amend the Agricultural Land Use District Boundary into the Urban Land Use District For approximately 88 acres at Ka`ono`ulu, Makawao-Wailuku, Maui, Hawai`i, Tax Map Key Nos. 2-2-002: por. of 015 and 3-9-001:016)))

CERTIFICATE OF SERVICE

I hereby certify that a copy of the County of Maui's Witness List, Exhibit List, and Testimony was served on the following on the date indicated below:

DANIEL E. ORODENKER Executive Director State of Hawaii Land Use Commission 235 South Beretania Street, Room 406 Honolulu, Hawaii 96804-2359

Digital Copy to State Land Use Commission, <u>luc@dbedt.hawaii.gov</u>

LEO ASUNCION, DIRECTOR leo.asuncion@dbedt.hawaii.gov Office of Planning 235 Beretania Street, 6th Floor Honolulu, Hawaii 96813 Electronic Mail and Mail

DAWN TAKEUCHI-APUNA, ESQ. DawnT.Apuna@hawaii.gov

State of Hawaii Department of the Attorney General 425 Queen Street Honolulu, Hawaii 96813

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P.O. Box 798

Makawao, Hawaii 96768

Electronic Mail and Mail

MICHAEL HOPPER

Deputy Corporation Counsel Department of the Corporation Counsel County of Maui 200 South High Street Wailuku, Hawaii 96793

Electronic Mail

DATED: Wailuku, Hawaii, March, 21, 2019.

MICHELE MCLEAN, AICP

Planning Director

Department of Planning