

2020 SEP -1 A 11: 29

OFFICE OF PLANNING

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BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. A11-794
)	
STATE OF HAWAII, DEPARTMENT OF)	OFFICE OF PLANNING’S RESPONSE
EDUCATION)	TO PETITIONER’S MOTION TO
)	AMEND THE FINDINGS OF FACT,
To Amend the Land Use District Boundary)	CONCLUSIONS OF LAW AND
of Approximately 77.2 Acres of Land from)	DECISION AND ORDER FILED JULY
the Agricultural District into the Urban)	29, 2013; OP EXHIBITS 1 AND 2;
District at Kihei, Maui, Hawaii, Tax Map)	CERTIFICATE OF SERVICE
Key (2) 2-2-002: 081 and 083.)	
)	

**OFFICE OF PLANNING’S RESPONSE TO PETITIONER’S MOTION TO AMEND
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION AND ORDER
FILED JULY 29, 2013**

The Office of Planning (“OP”) supports and recommends approval of the State of Hawaii, Department of Education’s (“Petitioner”) Motion to Amend the Findings of Fact, Conclusions of Law and Decision and Order filed July 29, 2013 (“Motion” and “D&O”). The Motion requests that the Land Use Commission (“Commission”) amend Condition No. 1 (b) of the D&O to allow, as recommended by the State of Hawaii Department of Transportation (“DOT”), the construction of a roundabout and ground-level crosswalks in place of a grade-separated pedestrian crossing.

Background

The Commission reclassified approximately 77.2 acres of land from the State Agricultural District to the State Urban District at Kihei, Island of Maui in July 2013 to develop

a new high school campus for the south Maui region. The new high school will serve grades 9-12 and at full build-out accommodate an enrollment capacity of 1,650 students and approximately 206 support staff. Site development includes educational and administrative buildings, infrastructure, and athletic facilities.

The initial Phase I includes the development of a high school campus large enough to support up to 800 students, and includes construction of essential classrooms and other buildings, athletic fields, and all on-site and off-site infrastructure. Phase II consists of additional classrooms and other amenities to be constructed when increases in enrollment justify the expansion. Mass grading and on and off-site infrastructure work has been completed.

The Commission's D&O of July 29, 2013 requires the Petitioner to comply with 25 conditions of approval covering areas of Statewide concern, including transportation, civil defense, archaeology, flora and fauna, air quality, drainage, solid waste, water resources, energy and infrastructure. The most significant of these conditions is Condition No. 1 relating to Highway and Roadway Improvements. The need for a large undeveloped area for the high school necessitated its siting on the mauka side of Piilani Highway, whereas most of the populated Kihei community and nearly all of the residences and students to be served by the high school are located makai of Piilani Highway. Students walking or biking to the high school would need to cross the four-lane arterial roadway at its intersection with Kulanihakoi Street. (See OP Exhibits 1 and 2)

Condition No. 1 imposes conditions recommended by the OP and DOT and subsequently modified by the Commission. The condition has six (6) parts:

- 1(a): revision and update of Traffic Impact Assessment Reports ("TIAR")
- 1(b): pedestrian route study and an above or below ground pedestrian crossing**
- 1(c): intersection improvements at Kulanihakoi Street and Piilani Highway
- 1(d): accommodation on bicycles on paved shoulders along Piilani Highway
- 1(e): construction of improvements recommended by updated TIARs
- 1(f): sound abatement measures for traffic noise

Condition 1(b) requires the completion of a pedestrian route study for Phase I of the project. The Condition also requires the construction of an above or below ground pedestrian crossing and improvements recommended by the pedestrian route study and approved by the

DOT prior to the opening of Phase I. Additional pedestrian studies are also required as the high school development proceeds. The requirement for the construction of a grade-separated pedestrian crossing prior to the school's opening was affirmed by the Commission on April 25, 2019 following a Declaration Ruling petition by the County of Maui Planning Department in DR19-65.

Petitioner's Motion

Petitioner's Motion to Amend Condition No.1(b) is based on the recommendation of the DOT. In its review of the development of a grade-separated pedestrian crossing, the DOT concluded that neither an overpass nor an underpass would best meet the needs for a safe pedestrian crossing, and that a well-designed at-grade roundabout would be the preferred solution. Accordingly, the Petitioner proposes the following amendments to Condition No. 1(b) – Highway and Road Improvements:

b. Petitioner shall complete a pedestrian route study for Phase I of the Project which includes ingress and egress of pedestrians through defined location(s) approved by DOT and shall analyze compliance with the proposed warrants in FHWA/RD84/082 (July 1984) to the satisfaction of DOT. The pedestrian route study and analysis shall be completed and approved prior to Petitioner executing a contract for the design of Phase I of the Project. ~~Petitioner shall cause to be constructed, or ensure that there is an available above or below ground pedestrian crossing~~ Petitioner shall cause to be constructed a roundabout with at-grade pedestrian crossings and raised sidewalks as appropriate at the intersection of Piilani Highway and Kulanihako'i Street, and implement such mitigation or improvements as may be required or recommended by the study and analysis to the satisfaction of DOT prior to opening Phase I of the Project. Petitioner shall conduct an assessment and reevaluation of the necessity, appropriateness, and utility of a grade-separated pedestrian crossing prior to the start of the construction of Phase II of the Project. Petitioner shall submit three updated pedestrian route studies and analyses for the Project: the first one full year after opening of Phase I of the Project, the second with DOT approval prior to the issuance of any certificate of occupancy for Phase II of the Project, and the third with DOT approval one full year after full build out of Phase II of the Project. Should there be delays over three years between preparation of the updated pedestrian route study one full year after opening Phase I and the scheduled issuance of the certificate of occupancy for Phase II or any potential later Phasing, Petitioner shall submit an additional updated pedestrian route study at DOT's request. Petitioner shall implement such mitigation or improvements as may be required or recommended by the updated studies and analyses to the satisfaction of DOT. Petitioner shall submit copies of the studies and analyses to the State of Hawai'i DOT for review and approval, and to the County of Maui Department of Public Works for review and comment.

OP's Assessment

OP believes the DOT has provided compelling arguments for the installation of a roundabout in lieu of a grade-separated pedestrian crossing. In its memorandum of August 5, 2020, DOT notes the following:

1. Building an overpass is not recommended, as the overpass is unlikely to be used as it will take significantly longer to cross the highway compared to an at-grade crossing. The roundabout at-grade crossing is about 130 feet distance, while the overpass would be about 235 feet and 760 feet for the stairwell and ramp distances, respectively. Pedestrians avoiding the overpass will attempt to dangerously cross the highway.
2. An underpass using a nearby gulch presents security issues as well as concerns for pedestrian safety in a storm event.
3. A roundabout would be safer than a signalized intersection. Roundabouts reduce the types of crashes where people are seriously hurt or killed by 78 – 82% when compared to stop-controlled and signalized intersections (AASHTO Highway Safety Manual). Roundabouts are designed to improve safety for all users.
4. A corridor-wide approach to traffic safety is being pursued along Piilani Highway, including signal timing to slow down traffic at Uwapo Road and Ohukai Road, and pedestrian safety measures at Moi Place. The proposed roundabout will provide additional traffic calming in the corridor to improve safety.
5. The proposed roundabout and pedestrian crossing safety measures will substantially minimize the traffic impacts of this high school development.

OP fully concurs with the DOT's assessment and justification. When the Petition was heard in 2013, DOT had expressed strong concerns for the safety of pedestrians and bicyclists along both sides of Piilani Highway as well as potential conflicts between pedestrians and bicyclists crossing the Highway. This was reflected in OP's testimony recommendation to construct an overpass or underpass across Piilani Highway.

At the time when the pedestrian crossing condition was discussed and imposed in 2013, the concept and feasibility of a roundabout was not considered. Over the past decade in Hawaii, however, roundabouts as a traffic calming measure have grown in number and gained increasing acceptance by agencies, drivers and the general public. Roundabouts complement transportation

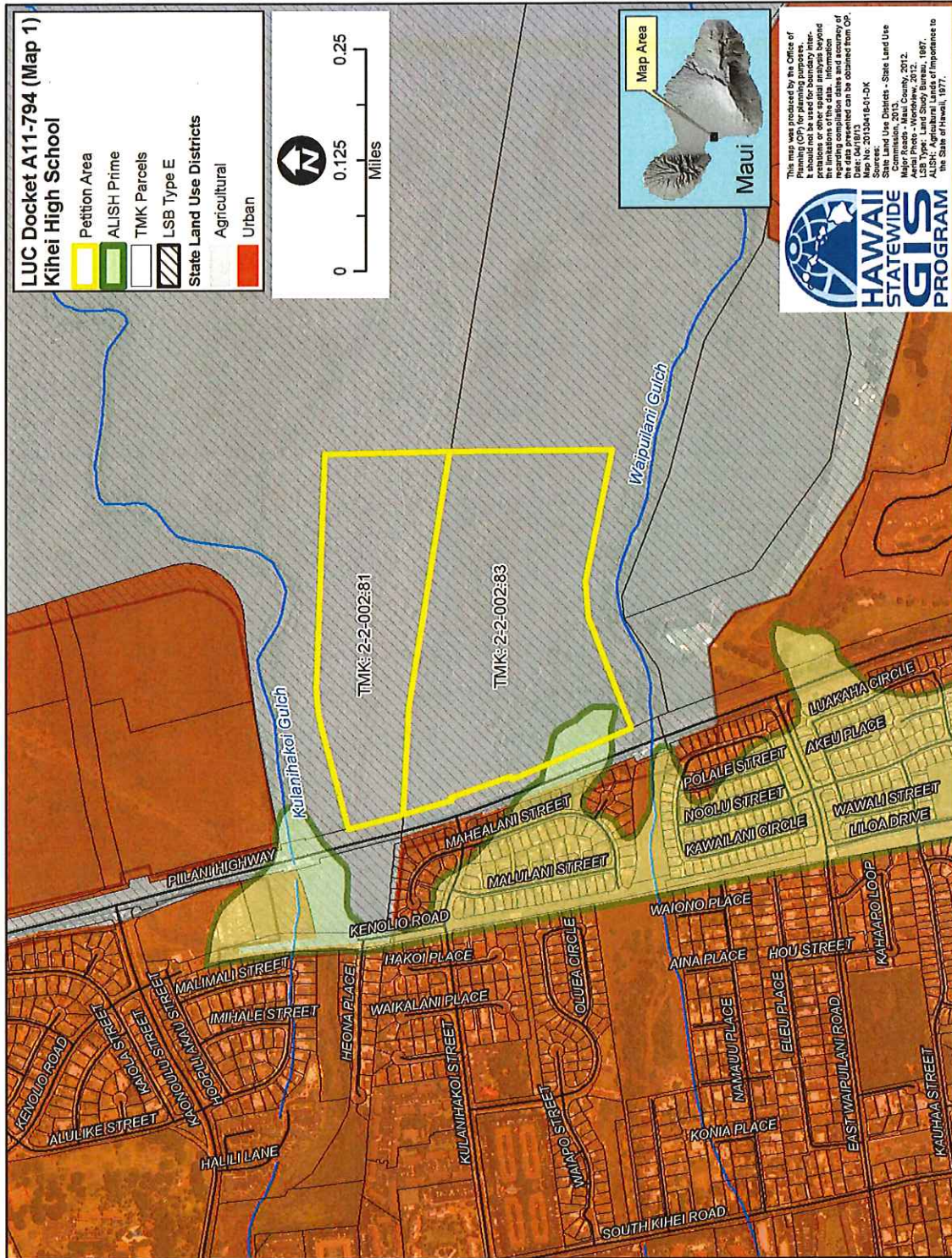
objectives such as Complete Streets, multi-modal networks, and corridor access management and have been proven to promote safe and efficient transportation.

For these reasons, OP supports and recommends approval of Petitioner's Motion to amend Condition No. 1(b) to allow the construction of a roundabout with at-grade crosswalks in place of a grade-separated pedestrian crossing.

DATED: Honolulu, Hawaii, September 1, 2020

Mary Alice Evans

MARY ALICE EVANS
Director
Office of Planning
State of Hawaii



Docket No. A11-794

CERTIFICATE OF SERVICE

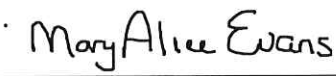
I hereby certify that a copy of the foregoing was served upon the following by either hand delivery or depositing the same in the U.S. Postal Service by regular mail.

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DATED: Honolulu, Hawaii, September 1, 2020.



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