

DEPARTMENT OF PLANNING
 COUNTY OF MAUI
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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
)	
DEPARTMENT OF EDUCATION (DOE),)	DEPARTMENT OF PLANNING, COUNTY
STATE OF HAWAII)	OF MAUI'S POSITION STATEMENT ON
)	DOE'S REQUEST FOR THE ISSUANCE OF
To Amend the Agricultural Land Use)	WRITTEN FINDINGS AS TO ITS AUGUST
District Boundaries into the Urban Land Use)	20, 2020 MOTION TO AMEND THE LAND
District for Approximately 77.2 acres of land)	USE COMMISSION'S (LUC) FINDINGS OF
at Kihei, Maui, Hawaii, Maui Tax Map Key)	FACT, CONCLUSIONS OF LAW AND
Nos. 2-2-002:081 and 083.)	DECISION AND ORDER FILED JULY 29,
)	2013

THE DEPARTMENT OF PLANNING, COUNTY OF MAUI'S POSITION STATEMENT ON
 DOE'S REQUEST FOR THE ISSUANCE OF WRITTEN FINDINGS AS TO ITS AUGUST 20,
 2020 MOTION TO AMEND THE LUC'S FINDINGS OF FACT, CONCLUSIONS OF LAW AND
 DECISION AND ORDER FILED JULY 29, 2013

The Maui County Planning Department (Department) understands the DOE's desire for the issuance of written findings as to its August 20, 2020 Motion to Amend the Land Use Commission's Findings of Fact, Conclusions of Law and Decision and Order (D&O) filed on July 29, 2013. Given the longer commute to high schools located out of the area, and the fact that the schools are overcrowded, the Kihei High School opening is much needed. Community support for the facility itself is also well established. The last amended Petition for District Boundary Amendment was submitted in 2013. The school opening continues to be delayed by the unresolved satisfaction of Conditions number 1 and 2 of the D&O regarding traffic mitigation at the intersection of Piilani Highway and Kulanihako'i Street.

Discussion

While the County of Maui defers to the expertise of the State Department of Transportation (DOT) on their recommendation to develop a roundabout and ground level pedestrian crossings at the future Kihei High School access at the intersection of Piilani Highway and Kulanihakoi Street, we note the school is located along a busy highway, and safe pedestrian crossing of this highway will remain a critical concern. In this context, the Department cannot support the removal of the D&O condition requiring a grade-separated pedestrian crossing (GSPC) that would relieve pressure on any proposed ground level crossings, and separate pedestrians from vehicles as they traverse the highway.

The DOE, its warrant studies, and the DOT claim that a GSPC is not warranted for Phase I of the school. In addition, in its Motion to Amend, the DOE states that “an overpass or underpass would be underused and cost-prohibitive, [and] that the recommended underpass locations present safety and topographical barriers....” DOE now proposes to conduct a warrant study prior to construction of Phase II. Even if a new or later warrant study calls for a GSPC, it is likely that it would still be cost-prohibitive and that the desired locations would still present topographical barriers. Delaying this requirement will likely not result in it ever being fulfilled.

The Planning Department typically relies on DOT and other traffic and engineering experts to provide guidance on traffic and pedestrian safety. In this case, however, the concerns of the South Maui community cannot be disregarded, nor can common sense. Kids will cross the highway where it is convenient, not necessarily where crosswalks are located. There is more than one example on Maui where new roadway intersections were built with minimal safety improvements, because other improvements were not “warranted” by the studies; only after serious crashes, injuries and deaths occurred were more robust improvements installed. This should not be repeated for Kihei High School.

Conclusion

As it has been a year since the DOE's Motion was filed, and there has been no consensus amongst the parties involved on the intersection concern, the Department supports the DOE's request for issuance of written findings by the Land Use Commission. The Department also seeks an expeditious resolution of the matter at hand as we are in full support of the school opening as soon as possible.

This Position Statement does not in any way address all concerns the Department may have, and it reserves its right to comment at a later time.

DATED: Wailuku, Hawaii, August 23, 2021.



MICHELE MCLEAN, AICP
Planning Director
Department of Planning

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