

Pocket Park 1 Natural Elements: Boulders, log tunnel, chipped wood fall surface, rope, benches.
Pocket Park 2 Natural Elements: Log pyramid or swing set, chipped wood fall surface, rope ladder, benches.
Pocket Park 3 Natural Elements: Logs, chipped wood fall surface, rope ladder, benches, shade trees.







4. Exemptions from Title 18, MCC, Subdivisions

a. Exemption from MCC 18.04.030 – Administration

Discussion: An exemption is requested from the above noted provision as well as related land use consistency and conformity requirements of Title 18. The exemption would exempt the project from obtaining a change in zoning and/or community plan amendment to enable subdivision approval, and instead allow for the project to be developed to the standards outlined in this exemption list.

<u>Value to community</u>: The exemption assists in the timely delivery of much needed housing for Lāna'i residents.

b. Exemption from MCC 18.16.050 – Minimum Right of Way and Pavement Widths

Discussion: An exemption is requested from the above noted provision. The proposed project includes a 41 ft. right-of-way, with 20 ft. of pavement at Ninth Street and Fraser Avenue, and for approximately 250 ft. along the Ninth Street extension, followed by a 50 ft. right-of-way with 20 ft. of pavement for the balance of the Ninth Street extension. Project plans also include 20 ft. of pavement and 10 ft. of paved parallel parking spaces for all interior roadways. A 50 ft. right-of-way with 20 ft. of pavement is provided for the Twelfth Street extension from Fraser Avenue.

<u>Value to community</u>: The proposed exemption will allow the roads within the residential development to mirror the existing roadways within Lāna'i City. Further, the proposed roadway standards meet the Complete Streets format for "Country Road" as well as meet the policies of the Lāna'i Community Plan to provide complete and safe streets and maintain and enhance Lāna'i City's rural character.

c. Exemption from MCC 18.16.320 – Parks and Playgrounds.

Discussion: An exemption is requested from the above noted provision. The proposed project shall contain a 1-acre park in addition to the community center and comfort stations, totaling 2.10 acres. The park shall be open to the public and privately owned and maintained.

<u>Value to community:</u> Pūlama Lāna'i is providing 68 percent more land than required for a Park, Community Center, and Comfort Stations (2.10 acres). Pūlama Lāna'i will also support operations at the Community Center (e.g., utilities, reservations, etc.) and the landscaping and maintenance operations at the Park and Comfort Stations.

d. Exemption from MCC 18.16.320.B.3 – Parks and Playgrounds,

Discussion: An exemption is requested from the above noted provision regarding the requirement of the subdivider to enter into a park assessment agreement.

<u>Value to community</u>: Pūlama Lāna'i is providing 68 percent more land than required for a Park, Community Center, and Comfort Stations (2.10 acres).

e. Exemption from MCC 18.20.070 – Sidewalks

Discussion: An exemption is requested from the above noted provision. Project plans include a 5.5 ft. sidewalk starting from Ninth Street and Fraser Avenue for approximately

250 ft., which connects to a 7.5 ft. wide sidewalk for the balance of the Ninth Street extension. Plans also include an 8 ft. wide sidewalk for the Twelfth Street extension from Fraser Avenue to the project roadways.

<u>Value to community</u>: The proposed exemption will allow sidewalks within the residential development to mirror existing sidewalks near the Hōkūao Housing project, as well as maintain and enhance Lāna'i City's rural character.

f. Exemption from MCC 18.20.080 – Curbs and Gutters

Discussion: An exemption is requested from the above noted provision to allow grass swales within the project area.

<u>Value to community</u>: The requested exemption allows the project to be designed to reflect the rural character of Lāna'i City. Pūlama Lāna'i will also maintain the grass swales within the proposed project area.

5. Exemptions from Title 19, MCC, Zoning

a. Exemption from MCC 19.02A, 19.07 and 19.30A – Interim Zoning, Open Space Districts and Agriculture District

Discussion: An exemption is requested from the above noted provision to permit the development and use of the parcel for single family and park purposes, including supporting infrastructure requirements. Further, this exemption shall allow the subdivision of the property in the conceptual plat configuration shown in **Exhibit** "**B**", which may be amended by the Director of Public Works. The following zoning standards shall apply to the proposed development.

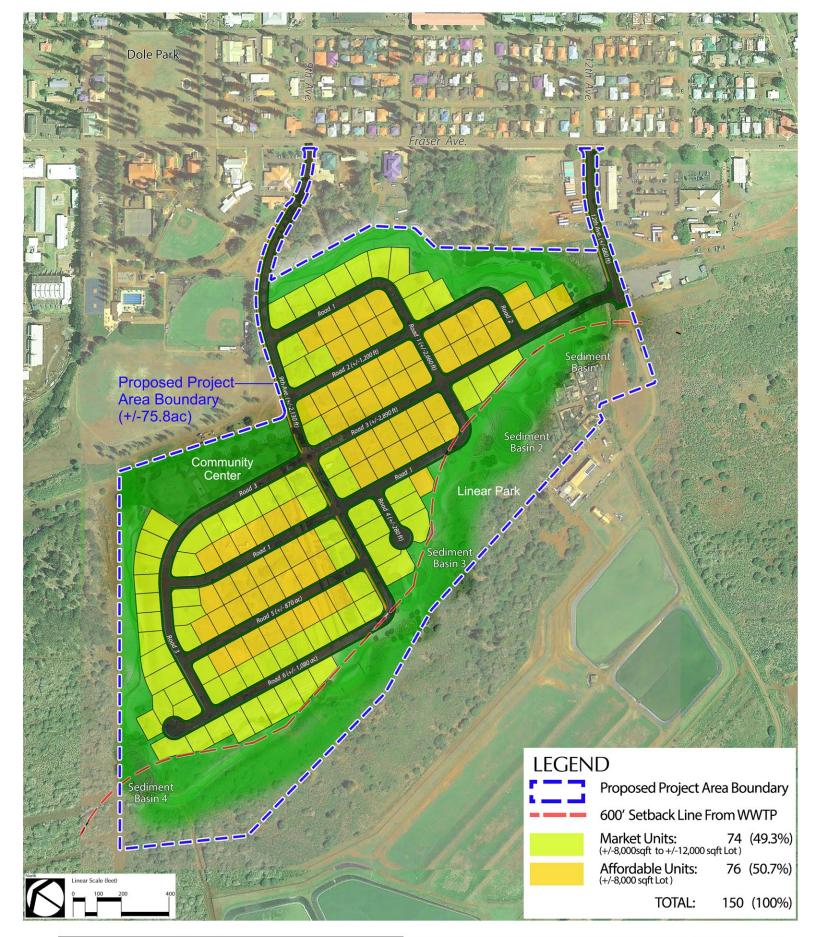
It is further noted that the proposed uses described below will be limited to the Residential and Park areas indicated in **Exhibit "B**".

Residential Use:

Minimum lot area:	8,000 square feet		
Height:	No building shall exceed two-stories or 30 feet in height, measured from finished grade		
Setback:	Five (5) feet front yard		
	Six (6) feet side and rear yard; except one zero lot line may be permitted on an adjacent property boundary.		
<u>Park Use:</u>			
Minimum lot area:	One (1) acre		
Height:	No building shall exceed two-stories or forty-five (45) feet in height, measured from finished grade		
Height: Setback:	No building shall exceed two-stories or forty-five (45) feet in		

EXHIBIT B.

Conceptual Site Plan



Hokuao Homes 201H Housing Conceptual Lot Plan 10/16/2020



<u>Value to community</u>: The reduction of the front yard setback will allow greater separation between opposing houses, increasing the back yard space for enhanced usability by residents. As previously mentioned, Pūlama Lāna'i is also providing 68 percent more land than required for a Park, Community Center, and Comfort Stations (2.10 acres). Pūlama Lāna'i will support operations at the Community Center (e.g., utilities, reservations, etc.) and landscape and maintenance at the Park and Comfort Stations.

b. Exemption from MCC 19.02A, 19.07 and 19.30A – Interim Zoning, Open Space Districts and Agriculture District

Discussion: An exemption is requested from the above noted provision to allow the following principal uses: 1) single family units; and 2) accessory structures such as carports; parking areas; energy systems, small-scale; fences and walls; storage sheds; and park recreational buildings and structures, including, but not limited to gazebo, pavilions, courts, and pools.

<u>Value to community</u>: The requested exemption allows the project to be designed to reflect the character of Lāna'i City including the architecture of homes and accompanying structures. The exemption also assists in the timely delivery of much needed housing for Lāna'i residents.

c. Exemption from MCC 19.08, 19.09 and 19.12 – Residential District, R-0 Zero Lot Line Residential District and Apartment District

Discussion: An exemption is requested to allow for permitted uses under the aforementioned provision in the areas noted for residential use in **Exhibit** "**B**" and 19.27A.030 <u>PK General park districts</u>, except Golf courses, and except <u>GC Golf course districts</u>, shall be permitted for the portion of the project area noted for Park use in **Exhibit** "**B**"; including the following additional uses:

- Utility facilities, minor; and
- Utility services

d. Exemption from MCC 19.30A.040 – Limitations on Resubdivision

Discussion: An exemption is requested from the above noted provision to allow for the residential, infrastructure, and public facility use on lots to be created relative to lands included in County of Maui Subdivision File No. 6.180.

6. *Exemption from Title 2, MCC, Administration And Personnel* MCC 2.96.040.C.2. - Residential workforce housing requirements

- C. Income group distribution.
 - 2. Unless an exemption is granted by the director, the percentage of rental units within each income group shall be as follows:
 - a. One-third of the rental units shall be for "very low income" and "low income" residents.
 - b. One-third of the rental units shall be for "below-moderate income" residents.

c. One-third of the rental units shall be for "moderate income" residents.

Discussion: An exemption is requested from the above noted provision to allow the proposed project to provide for one hundered percent of the project's affordable rental units for the "below-moderate," "moderate," and "above-moderate" income levels.

Currently, on Lāna'i, there are 110 affordable rental units, 39 of which are under the Pūlama Lāna'i's control (e.g., Pūlama Lāna'i provides units at rates that meet the County's adjusted HUD affordable rental rates for the island). The thirty year affordable term that was imposed on these 39 units have recently expired (See Figure 1). Pūlama Lāna'i will continue to make these affordable rental units available in perpetuity in the "very low" and "low" income levels. This provision will be codified in the housing agreement with DHHC.

Pūlama Lāna'i proposes to make available the 76 affordable units at Hōkūao to "below moderate," "moderate," and "above moderate" income levels. There are no affordable rental units available for income levels from 62 percent to 140 percent AMI on island. The 76 affordable units will add 69 percent more affordable units on Lāna'i, increasing the affordable units to 186 (See Figure 1). Pūlama Lāna'i will make the 76 affordable units available in perpetuity in the "below moderate," "moderate," and "above moderate" income ranges. This provision will be codified in the housing agreement with DHHC.

<u>Value to community:</u> The requested exemption yields an overall benefit to Lāna'i, as noted above there is an unmet need for income levels between 62 and 140 percent AMI on island. In addition, the 39 affordable units at lwiole (See Figure 1) will remain in the "low" and "very low category" in perpetuity. Figure 2 provides an overview of the breakdown of the afforable units by AMI income level.

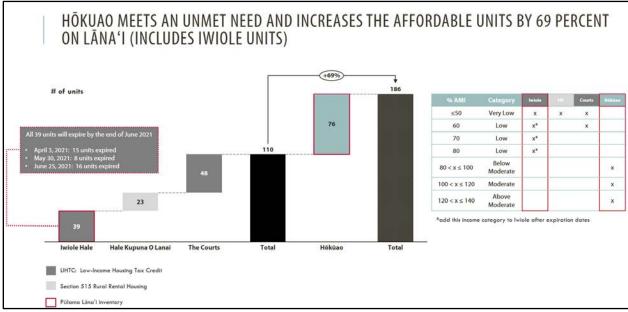


Figure 1: Overview of current affordable housing market on Lāna'i.

	ATION OI BENEFI		ALLOCATION A	AT HŌKŪAO YIELI	DS
Income Category	2.96.040.C.2 (%)	2.96.040.C.2 Modification (%)	2.96.040.C.2 (Affordable Unit Count)	2.96.040.C.2 Modification (Affordable Unit Count)	
Very Low/Low	33.33 %		25	39 (Iwiole Units)	56% increase in the the number of units in the Very Low/Low category
Below Moderate	33.33 %	10 %	25	8	
Moderate	33.33 %	20 %	26	15	
Above Moderate		70%		53	51% increase in overall
Total	100%	100%	76	115 in perpetuity	number of units and units will remain affordable in perpetuity



7. Exemption from Title 2, MCC, Administration And Personnel MCC 2.96.070.B. - Residential workforce housing restrictions - rental units.

- B. Deed restrictions.
 - 1. The rental residential workforce housing unit shall be subject to the requirements of this chapter for thirty years, commencing on the date of initial occupancy.
 - 2. For the thirty-year deed-restricted period, the following shall apply:
 - a. The owner must notify the department upon a decision to sell the rental development and the County shall have the first option to purchase the rental development from the owner; said option shall be available to the County for a period of one hundred and twenty days from receipt of written notice from the owner and shall not apply to sales by reason of foreclosure.
 - b. Any new owner must comply with the deed restrictions.
 - c. Owner or owner's representative shall submit proof of compliance with income guidelines for rentals quarterly.
 - 3. Within ninety days of the expiration of the thirty-year deed-restricted period, the owner shall offer the County the right to purchase the property at market value as determined by the owner.
 - 4. The deed restriction shall set forth the number of units in the development that shall be designated as residential workforce housing units along with the relative income group of those units. The deed restriction may, but shall not be required to, identify specific units as residential workforce housing units.

Discussion: An exemption is requested from the above noted provision to waive the requirement for a deed restriction for the 76 affordable rental units. Pūlama Lāna'i will keep the 76 affordable units at affordable rental rates, as specified by the HUD affordable rental guidelines, as adjusted by the department for Lāna'i, in perpetuity.

<u>Value to community</u>: Pūlama Lāna'i will rent the 76 affordable units at affordable rental rates in perpetuity. This will be codified in the housing agreement with DHHC. Pūlama Lāna'i does not intend to sell the affordable units and would exceed the thirty-year deed restricted period for the affordable units.

8. *Exemption from Title 2, MCC, Administration And Personnel* <u>MCC 2.96.070.F. - Residential workforce housing restrictions - rental units.</u>

F. Graduated income tenants. For those tenants who have graduated to a higher income group during the term of the lease but still remain within an appropriate income group, if owner or owner's representative elects to continue to lease to tenant, the monthly rental rate shall be the rate for the income group which tenant is within. For those tenants who during the term of the lease have graduated to an income level that is in excess of the income groups for rental units, if owner or owner's representative elects to continue to lease to tenant, the annual rental rate shall be equivalent to thirty percent of tenant's gross income. Owner or owner's representative shall be responsible for paying County in accordance with section D, above. Owner or owner's representative shall make its reasonable best efforts to maintain the proper distribution of rentals across the "very low income" and "low income," "below-moderate income," and "moderate income" groups.

Discussion: An exemption is requested from the above noted provision to allow the project to include the "above moderate" income group as a graduated income tenant within the 76 affordable units.

9. Exemption from Title 2, MCC, Administration And Personnel MCC 2.96.100.A(3) - Applicant selection process—Rental units.

A. Wait List Procedure.

3. Selection for rental units shall be made by a lottery administered by the developer, its partner, or its management company and overseen by the department, subject to the applicant meeting the eligibility criteria established in subsection B of this section.

Discussion: An exemption is requested from the above noted provision for the prescribed process for the preparation of a wait list for the project. Pūlama Lāna'i is instead proposing the following wait list process for the 76 affordable units in the project.

Wait List

- Qualified residents on the wait list shall receive first priority for the available affordable units. Qualified nonresidents on the wait list will not be offered an affordable rental unit the wait list has been exhausted of all qualified residents.
- Affordable rental units will be offered to qualified residents in the order in which their names are on the wait list, provided that there is a unit available in the income group for which they qualified. Qualified nonresidents will be offered an affordable rental unit in the order in which their names were added on the wait list.
- Pūlama Lāna'i will maintain a wait list for the affordable units only. The wait list will be used to fill any vacancy for the affordable units.

10. Exemption from Title 2, MCC, Administration And Personnel MCC 2.96.100.D - Applicant selection process—Rental units.

- D. Selection Priority.
 - 1. Residents on the wait list shall receive first priority for the available units. Nonresidents on the wait list may rent a residential workforce housing unit once the wait list has been exhausted of all residents.
 - 2. The developer, its partner, or its management company may do a mass mailing of housing applications to applicants on the wait list.
 - 3. The residential workforce housing units shall be offered to residents in the order in which their names were drawn in the lottery, provided that there is a unit available in the income group for which they qualify. Nonresidents will then be offered residential workforce housing units in the order in which their names were drawn in the lottery, provided that there is a unit available in the income group for which they qualify.
 - 4. The developer, its partner, or its management company shall submit copies of the following information to the department to verify the rental of residential workforce housing units to eligible renters:
 - a. Applicant's completed final rental application;
 - b. Executed rental lease; and
 - c. All signed federal and state tax returns used to determine eligibility, or any other documents used to determine eligibility by the developer, its partner, or its management company.
 - 5. The developer, its partner, or its management company shall maintain a wait list for the development after all of the units are rented, which shall be used to fill any vacancy.
 - 6. Any rental unit vacancy shall be filled by an applicant in the same income group as the original tenant to maintain an equal distribution of rentals across the "very low income" and "low income," "below-moderate income," and "moderate income" groups.
 - 7. An owner of a residential workforce housing rental development intending to sell the development shall notify the department in writing prior to the closing of the sale, and shall provide documentation to the department that the prospective new owner acknowledges and is aware of the terms, conditions, and restrictions encumbering the development as set forth in section 2.96.070.

Discussion: An exemption is requested from the above noted provision to allow Pūlama Lāna'i to utilize the provisions noted below in regards to the selection process for applicants for the 76 affordable rental units and to allow for the inclusion of the "above moderate" income group for the affordable rental units.

For the initial offering of the affordable units, a lottery will be held for qualified applicants. Subsequent affordable units will be made available to qualified applicants on the wait list. Qualified applicants on the wait list will need to update their contact information with Pūlama Lāna'i should there be any changes. Pūlama Lāna'i will make its best effort to contact qualified applicants on the wait list should an affordable unit become available. If

the qualified applicant on the wait list is unreachable, the next qualified applicant will be notified about the availability of an affordable unit.

Step 1: Qualify applicants for the affordable units

- Each interested applicant may obtain a rental application in person at the Pūlama Lāna'i Housing Office
- Each interested applicant will need to complete a rental application and submit it to the Pūlama Lāna'i Housing Office
 - During the qualification process, applicants will need to meet the eligibility criteria set by MCC 2.96.020 and MCC 2.96.090.B.1, 2, 3, 4, 5, and 7.
 - Pūlama Lāna'i will complete the following due diligence on each completed application (not an exhaustive list):
 - Verification of financial information, including but not limited to income level
 - Credit Check
 - In person interview with all household members

<u>Step 2:</u> Qualified applicants will enter into a lottery for the first offering only (i.e., lottery will only be offered once at the commencement of the project)

- Affordable units will be offered to qualified applicants in the order in which their names were drawn in the lottery, provided that there is an affordable unit available in the income group for which they qualified.
- If there are more qualified applicants chosen during the lottery than affordable units available, a wait list will be established and qualified applicants will be added to the wait list in the order in which their names were drawn in the lottery.
- The lottery will be held once, at the commencement of the project. Subsequent qualified applicants will be added to the wait list in the order in which they were qualified.

Step 3: Wait list (same procedure as above, included here for continuity)

- Qualified residents on the wait list shall receive first priority for the available affordable units. Qualified nonresidents on the wait list will not be offered an affordable rental unit the wait list has been exhausted of all qualified residents.
- Affordable rental units will be offered to qualified residents in the order in which their names are on the wait list, provided that there is a unit available in the income group for which they qualified. Qualified nonresidents will be offered an affordable rental unit in the order in which their names were added on the wait list.
- Pūlama Lāna'i will maintain a wait list for the affordable units only. The wait list will be used to fill any vacancy for the affordable units.

Step 4: Execute rental agreement

- When an affordable unit becomes available, Pūlama Lāna'i will confirm if the qualified applicant is still qualified and execute a rental agreement.
- Pūlama Lāna'i will provide to the Department of Housing and Human Concerns the following information to verify the rental of the affordable units to eligible renters:
 - Qualified applicant's final rental application,
 - Executed rental agreement, and
 - All signed federal and state tax returns used to determine eligibility, or any other documents used to determine eligibility.

<u>Step 5:</u> Annual verification of qualified applicants in the affordable units

• Qualified applicants in the affordable rental units will need to self-certify that the information used to qualify them for the affordable unit has not changed.

11. Exemption from Title 2, MCC, Administration And Personnel MCC 2.96.160.B – Fast track permitting.

B. Project qualifications. A project comprised of 100 percent residential workforce housing units with a fully-executed residential workforce housing agreement between the developer and the County, recorded in the bureau of conveyances or registered in the land court, in compliance with this chapter, shall be eligible for fast track permitting.

Discussion: An exemption is requested to allow the proposed project to qualify for utilization of this provision for fast track permitting processes related to the building permits (including electrical and plumbing permits) and grading permits for affordable and market units as part of the proposed project. The exemption is requested to include the "above moderate" units as residential workforce housing units.

12. Exemption from Title 2, MCC, Administrative And Personnel MCC 2.96.160.C – Fast track permitting.

C. Permits subject to fast track permitting. Qualified projects may utilize the fast track permitting process to expedite the review and issuance of all County permits necessary for the development of the project site, including subdivision applications, civil construction plan permits, and other plans and permits associated with the development of the project site. Building permits shall only be expedited for residential workforce housing units.

Discussion: An exemption is requested to include the "above moderate" rental units to qualify as residential workforce housing units that would qualify for fast track permitting provisions. Additionally, the provision would apply to the affordable and market units.

PROJECT FINANCING INFORMATION

LANAI ISLAND HOLDINGS, LLC 101 Ygnacio Valley Road, Suite 320 Walnut Creek, CA 94596

June 22, 2021

Lori Tsuhako Director, Department of Housing & Human Concerns County of Maui 2200 Main Street, Suite 546 Wailuku, HI 96793

> Re: In the Matter of the Application of Pulama Lāna'i for Hōkūao 201H Housing Project, Lāna'i City, Hawai'i 96763

Dear Ms. Tsuhako:

Lāna'i Resorts, LLC (dba Pūlama Lāna'i), has filed the above-referenced application in connection with its proposal to design, construct and sell Hōkūao, which is a 201H Affordable Housing Project on the island of Lāna'i, Hawai'i (the "Project"). An Environmental Assessment has been completed for the Project and is included in the application.

By this letter, Lanai Island Holdings, LLC ("LIH"), parent company of Lāna'i Resorts, LLC, hereby confirms that the necessary financing for the Project, including, but not limited to, permitting, design, and construction would be provided by LIH or an affiliate of LIH, provided, however, such financing will only be available upon and after all governmental and regulatory approvals of the Project have been secured and acceptable by Pūlama Lāna'i and shall not be available if the Hawai'i Land Use Commission and/or Maui County ultimately declines to approve the Project.

Very truly yours,

LANAI ISLAND HOLDINGS, LLC By: LIH Corporation, Manag

Bv

Paul T. Marinelli, President

Hōkūao 201H Housing Project

Proposed Financing Information for the Project per Hawai'i Administrative Rule 15-307-26 (5)(A)

The manner in which the project will be financed during the development and construction of the project and upon completion of the project.

- All financing will be provided by Lanai Island Holdings, LLC (parent company of Lāna'i Resorts, LLC) or another entity owned by Larry Ellison. Mr. Ellison acquired 98% of the island of Lāna'i in 2012. He is the Founder, CTO and Chairman of the Board of Oracle Corp.
- According to Forbes online profile (accessed on June 22, 2021 <u>Larry Ellison (forbes.com)</u>), Mr. Ellison had a net worth of approximately \$102 B as of June 22, 2021. He is ranked seventh on the World's Billionaires List by Forbes.

COUNTY AGENCY COMMENTS ON (DRAFT) 201H APPLICATION AND RESPONSES

MICHAEL P. VICTORINO Mayor

> DAVID C. THYNE Fire Chief

BRADFORD K. VENTURA Deputy Fire Chief





DEPARTMENT OF FIRE & PUBLIC SAFETY FIRE PREVENTION BUREAU COUNTY OF MAUI 313 MANEA PL. WAILUKU, HI 96793

March 15, 2021

Munekiyo Hiraga Attn: Chris Sugidono, Senior Associate 305 High Street, Suite 104 Wailuku, HI 96793

SUBJECT: DRAFT 201H-38 HAWAII REVISED STATUTES APPLICATION FOR THE HOKUAO 201H HOUSING PROJECT TMK (2) 4-9-002:061 (por), (2) 4-9-014:001 (por), (2) 4-9-014:009 (por)

Dear Chris,

Thank you for allowing our office to provide comment on the subject proposed project. As per your request, comments are provided below:

- This project shall incorporate fire prevention measures to address the concern of wildland fires posed by vacant lands abutting the project. At a minimum, 30 feet of defensible space shall be provided associated with this project and undeveloped lands abutting the project. Our office is willing to assist on this matter.
- Our office does reserve the right to comment on the proposed project during the building permit review process should detailed plans for this project be routed to our office for review. At that time, fire apparatus access, water supply for fire protection, and fire and life safety requirements associated with the subject project will be formally reviewed.

If there are any questions or comments, please feel free to contact me at (808) 876-4694 or by email at oliver.vaas@mauicounty.gov.

Sincerely,

Oliver Vaas, Lieutenant - Fire Prevention Bureau



Karlynn K. Fukuda PRESIDENT

Mark Alexander Roy VICE PRESIDENT Tessa Munekiyo Ng VICE PRESIDENT

Michael T. Munekiyo SENIOR ADVISOR

July 16, 2021

Oliver Vaas, Lieutenant County of Maui Department of Fire and Public Safety Fire Prevention Bureau 313 Manea Place Wailuku, Hawai'i 96793

> SUBJECT: Draft 201H-38 Hawai'i Revised Statutes Application for proposed Hōkūao 201H Housing Project at TMKs (2)4-9-002:061 (POR.), (2)4-9-014:001 (POR.) and 009 (POR.), Lāna'i City, Hawai'i.

Dear Mr. Vaas:

Thank for your letter dated March 15, 2021, on the subject project. On behalf of Lanai Resorts, LLC, a Hawai'i limited liability company doing business as Pūlama Lāna'i (Applicant), we provide the following responses in the order of the comments in your letter.

Comment:

This project shall incorporate fire prevention measures to address the concern of wildland fires posed by vacant lands abutting the project. At a minimum, 30 feet of defensible space shall be provided associated with this project and undeveloped lands abutting the project. Our office is willing to assist on this matter.

<u>Response</u>: The Applicant acknowledges the comment and has incorporated the Department's recommendation of 30 feet of defensible space between the project improvements and undeveloped lands. The Applicant also appreciates the Fire Prevention Bureau's offer of assistance.

Comment:

Our office does reserve the right to comment on the proposed project during the building permit review process should detailed plans for this project be routed to our office for review. At that time, fire apparatus access, water supply for fire protection, and fire and life safety requirements associated with the subject project will be formally reviewed. Oliver Vaas, Lieutenant July 16, 2021 Page 2

<u>Response</u>: The Applicant acknowledges the comment regarding the Fire Prevention Bureau's right to comment on the proposed project during the building permit review process.

We appreciate your input and will include a copy of your comment letter and this response in the final 201H-38 Hawai'i Revised Statutes Application. Should you have any questions or require further information regarding the proposed action, please contact me at 244-2015.

Very truly yours,

Chris Sugidono Senior Associate

CEJS:ab

Cc: Buddy Almeida, County of Maui, Department of Housing and Human Concerns Keiki-Pua Dancil, Pūlama Lāna'i

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POLICE DEPARTMENT

COUNTY OF MAUI

55 MAHALANI STREET WAILUKU, HAWAII 96793 (808) 244-6400 FAX (808) 244-6411

March 15, 2021



TIVOLI S. FAAUMU CHIEF OF POLICE

DEAN M. RICKARD DEPUTY CHIEF OF POLICE

MICHAEL P. VICTORINO MAYOR

OUR REFERENCE

Mr. Chris Sugidono Senior Associate Munekiyo Hiraga 305 High Street, Suite 104 Wailuku, Hawaii 96793

Re: Draft 201H-38 Hawaii Revised Statutes Application for the Hokuao 201H Housing Project

Dear Mr. Sugidono:

This is in response to your letter dated March 2, 2021 requesting comments for the draft application for the Hokuao 201H Housing project.

In review of the submitted documents, we would like to recommend the owner/management provide in person security and electronic security for the project during its construction until completion. Limit access to dirt roads and trails in order to discourage off-road vehicles driving directly through the development in order to access hunting grounds, which creates hazardous conditions by dragging mud onto the roadways and/or violating traffic laws. Recommend adequate street and path lighting to encourage safe outdoor activities. Also recommend providing signage near the intersection of Ninth Street and Fraser Avenue advising residents of emergency vehicles exiting the Lanai District Police Station. Request reviewing the possibility of a third access point directly onto Kaumalapau Highway to ease travel to the harbors and airport, as well as limiting access to the existing pathways behind the bakery, warehouse, and central to prevent residents using them as shortcuts to the highway.

Thank you for giving us the opportunity to comment on this project.

Sincerely,

Assistant Chief John Jakubczak for: TIVOLI S. FAAUMU Chief of Police

Karlynn K. Fukuda PRESIDENT

Mark Alexander Roy VICE PRESIDENT

Tessa Munekiyo Ng VICE PRESIDENT

Michael T. Munekiyo SENIOR ADVISOR

July 16, 2021



Acting Chief Dean Rickard Maui Police Department 55 Mahalani Street Wailuku, Hawai'i 96793

SUBJECT: Draft 201H-38 Hawai'i Revised Statutes Application for proposed Hōkūao 201H Housing Project at TMKs (2)4-9-002:061 (POR.), (2)4-9-014:001 (POR.) and 009 (POR.), Lāna'i City, Hawai'i.

Dear Chief Rickard:

Thank you for your letter dated March 15, 2021 on the subject project's draft Hawai'i Revised Statutes (HRS) 201H-38 Affordable Housing application. On behalf of Lanai Resorts LLC, doing business as Pūlama Lāna'i (Applicant), we offer the following responses to your comments. The responses follow the order of comments presented in the Department's letter.

Thank you for the comment regarding limiting access to the site during construction. The Applicant has reviewed the comment and will work with the project's contractor, once selected, to secure the site for security purposes with an orange safety fence. It is noted that the project area is not currently used for hunting.

Street lights will be installed as may be required by County standards along the internal project roadways. Appropriate lighting will also be considered along pedestrian paths within the project site.

Thank you for the comment regarding recommended signage at the intersection of Ninth Street and Fraser Avenue to warn future residents of emergency vehicles entering and exiting the police station. The Applicant will review options to install appropriate signage.

We note the comment on the potential to provide a third vehicle access point on to Kaumalapau Highway. The draft 201H application included the Chapter 343 HRS Draft Environmental Assessment (EA) for the project. The Draft EA included a Traffic Impact Analysis Report (TIAR) that was completed and included as Exhibit G. The traffic consultants studied the existing conditions and projected traffic conditions with the completion of the project and concluded that no intersection improvements are recommended as a result of the Project (Draft EA Exhibit G, TIAR Section 5 Conclusions and Recommendations). It is noted that Kaumalapau Highway is a State highway and as

Acting Chief Dean Rickard July 16, 2021 Page 2

such, approval for a road connection to the highway would be needed from the State Department of Transportation.

Thank you for your comments and participation in the 201H application process. Should you have any questions, please contact me at 244-2015.

Very truly yours, Chris Sugidono Senior Associate

CEJS:ab

Buddy Almeida, County of Maui, Department of Housing and Human Concerns Cc: Keiki-Pua Dancil, Pūlama Lānaʻi K:\DATA\Pulama Lanai\Lanai City Expansion 1939\Applications\201H Application\201H Response Letters\MPD response.docx

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MICHAEL P. VICTORINO Mayor

ERIC A. NAKAGAWA, P.E. Director

SHAYNE R. AGAWA, P.E. Deputy Director

MICHAEL P. RATTE Solid Waste Division

SCOTT R. ROLLINS, P.E. Wastewater Reclamation Division

TAMARA L. FARNSWORTH Environmental Protection & Sustainability Division





2050 MAIN STREET, SUITE 2B WAILUKU, MAUI, HAWAII 96793

March 16, 2021

Munekiyo Hiraga 305 High Street, Suite 104 Wailuku, Hawaii 96793

Attention: Chris Sugidono, Senior Associate

SUBJECT: HOKUAO 201H HOUSING APPLICATION DRAFT 201H-38 HAWAII REVISED STATUTES APPLICATION FOR AFFORDABLE HOUSING DEVELOPMENT TMK (2) 4-9-002:061 (POR.), (2) 4-9-014:001 (POR.) AND 009 (POR.) LANAI CITY, LANAI

We reviewed the subject application and have the following comments:

- 1. Solid Waste Division comments:
 - a. None.
- 2. Wastewater Reclamation Division (WWRD) comments:
 - a. Although wastewater system capacity is currently available as of the date of this letter, the developer should be informed that wastewater system capacity cannot be ensured until the issuance of the building permit.
 - b. Wastewater contribution calculations are required before building permit is issued.
 - c. Developer is not required to pay assessment fees for this area at the current time.
 - d. Developer is required to fund any necessary off-site improvements to collection system and wastewater pump stations.
 - e. Show or list minimum slope of new sewer laterals.
 - f. Plans should show the installation of a single service lateral and advanced riser for each lot. Any request for waiver of this

requirement shall be made submitted in writing for approval by WWRD.

- g. For all lots, other than single family lots, plans shall show the existing property sewer service manhole near the property line. If a property sewer service manhole does not exist, one shall be installed.
- h. Indicate on the plans the ownership of each easement (in favor of which party). Note: County will not accept sewer easements that traverse private property.
- i. Commercial kitchen facilities within the proposed project shall comply with pre-treatment requirements (including grease interceptors, sample boxes, screens etc.)
- j. Non-contact cooling water and condensate should not drain to the wastewater system.
- k. Any pump station(s), force main and gravity sewerlines discharging to the pump station(s) shall remain privately owned and maintained.
- I. The wastewater treatment facility in Lanai currently treats approximately 0.325 mgd and has allocated 0.395 mgd of its treatment capacity. There is currently adequate capacity to service the first phase of this project. Allocation is not reserved until building permits are issued.

If you have any questions regarding this letter, please contact Shayne Agawa at 270-8230.

Sincerely,

Digitality signed by Enc Nakagawa DN cn=Enc Nakagawa o=County of Mau ou=Dure for of Environmental Management omal=environ akagawa@co mau bu sc ==US Date 2021.04.13.14.45.06.10.00

ERIC A. NAKAGAWA, P.E. Director of Environmental Management



Karlynn K. Fukuda PRESIDENT

Mark Alexander Roy VICE PRESIDENT

Tessa Munekiyo Ng VICE PRESIDENT

Michael T. Munekiyo SENIOR ADVISOR

July 16, 2021

Eric Nakagawa, Director County of Maui Department of Environmental Management 2050 Main Street, Suite 2B Wailuku, Hawai'i 96793

SUBJECT: Draft 201H-38 Hawai'i Revised Statutes Application for proposed Hōkūao 201H Housing Project at TMKs (2)4-9-002:061 (POR.), (2)4-9-014:001 (POR.) and 009 (POR.), Lāna'i City, Hawai'i.

Dear Mr. Nakagawa:

Thank for your letter dated March 16, 2021, on the subject project. On behalf of Lanai Resorts, LLC, a Hawai'i limited liability company doing business as Pūlama Lāna'i (Applicant), we acknowledge that the Solid Waste Division has no comments at this time. However, we acknowledge the comments from the Wastewater Reclamation Division (WWRD) and the Applicant will comply with all of the comments upon submitting site work and building permit applications. The project's civil engineering consultant will also be in contact with the WWRD to discuss the project's service needs. We appreciate the confirmation that assessment fees are not required.

We appreciate your input and will include a copy of your comment letter and this response in the final 201H-38 Hawai'i Revised Statutes Application. Should you have any questions or require further information regarding the proposed action, please contact me at 244-2015.

Very truly yours,

Chris Sugidono Senior Associate

CEJS:ab

Cc: Buddy Almeida, County of Maui, Department of Housing and Human Concerns Keiki-Pua Dancil, Pūlama Lāna'i Kevin Mendes, RM Towill Corporation

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MICHAEL P. VICTORINO Mayor

MARC I. TAKAMORI Director

MICHAEL B. DU PONT Deputy Director



DEPARTMENT OF TRANSPORTATION COUNTY OF MAUI 200 SOUTH HIGH STREET WAILUKU, MAUI, HAWAII 96793 TELEPHONE: (808) 270-7511 FAX: (808) 270-7505

March 17, 2021

Munekiyo Hiraga Attn: Chris Sugidono 305 High Street, Suite 104 Wailuku, HI 96793

SUBJECT: Draft 201H-38 Hawaii Revised Statutes Application for the Hōkūao 201H Housing Project

Dear Mr. Sugidono,

Thank you for the opportunity to review and comment on this project. We have no comments to make at this time.

Please feel free to contact me should you have any questions.

Sincerely,

Marc Takamori Director, Transportation