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AGENDA ITEM: B - Subarea 3: South Kihei
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May 22, 2023

South Maui Community Plan Advisory Committee
c/o Department of Planning, Long Range Division
2200 Main Street
One Main Plaza Bldg. Suite 601
Wailuku, HI 96793
Via email: wearesouthmaui@mauicounty.gov

Subject: South Maui Community Plan Update and the Maui Research & Technology Park

Dear Chair Weltman and Members of the South Maui Community Plan Advisory Committee:

Thank you for the opportunity to participate in the South Maui Community Plan Update process through the submittal of this written testimony. On behalf of landowner, Lipoa Investments, LLC, Pacific Rim Land provides the following.

REQUEST TO THE COMMITTEE

As presented to you at the April 19, 2023, Housing Development Forum, Pacific Rim Land requests that the Maui Research & Technology Park (MRTP) be designated as a “Special Purpose District” (SPD) in the South Maui Community Plan (SMCP).

BACKGROUND AND JUSTIFICATION

The Committee should designate the MRTP SPD for the following reasons:

1. The zoning for the MRTP lands is a special district, and is consistent with the SMCP’s SPD designation.

The MRTP lands are currently zoned “Maui Research & Technology Park District”. The MRTP District provides flexibility in use and development to create an integrated mixed-use community that offers a variety of housing types near goods, services, jobs, and amenities while also providing opportunities to expand the research, technology, and innovation employment base at MRTP.

According to the Draft SMCP, *“The Special Purpose District community plan designation is intended to provide for specified land uses that, due to their uniqueness or incompatibility, do not easily fall within one or a combination of the other community plan designations. This district*

*applies to airports and **may also include established project districts that do not easily fall within one or more of the other community plan designations.***

Despite the MRTP District being a special district as described above, the Department of Planning (Department) recommended SMCP designations for the MRTP include “Small Town Center” (STC), “Transit Oriented Corridor” (TOC), “Park” (PK), and “Open Space” (OS), as illustrated in the map below, taken from the Draft SMCP. The allowable uses in the MRTP are unique, like nowhere else on Maui, and do not easily fall within any of the SMCP designations.

2. The Department’s recommended SMCP designation would lead to inconsistencies with the MRTP Zoning Controlling Plan.

The MRTP zoning is governed by a specific Controlling Plan map that is part of its ordinance, see **Exhibit A**. This map governs the uses on the land and is based on detailed metes and bounds maps that the County utilizes to determine the zoning districts, and thus uses. Having an additional layer at the community plan level that has four (4) designations would lead to inconsistencies between our Controlling Plan and the SMCP. The recommended SMCP designations of STC, TOC, PK, and OS are inconsistent with the MRTP allowable zoning uses. This inconsistency in the land use designations would lead to technical permitting issues in the future.

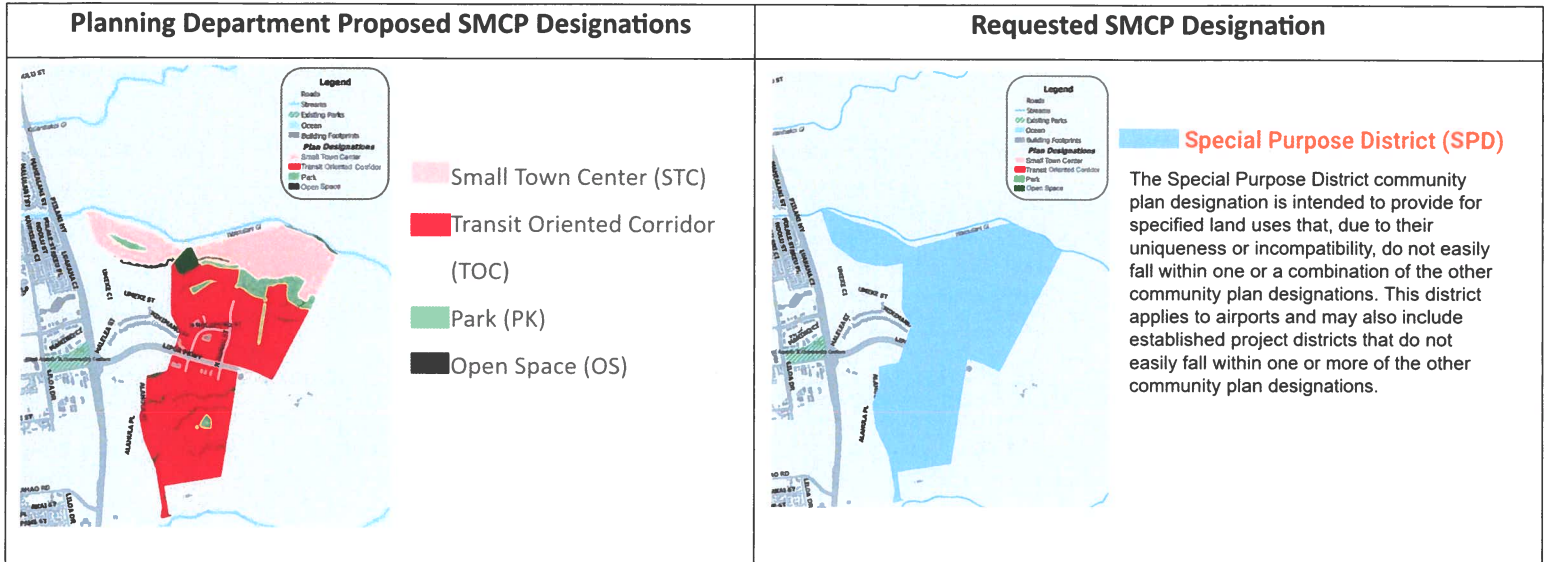
Having the entire MRTP designated SPD will eliminate potential inconsistencies and let the Controlling Plan that is part of the zoning ordinance govern.

We are requesting the MRTP be designated SPD. It is abundantly clear, based on our zoning, that the SPD is the appropriate designation for the MRTP. The SPD allows the uses in the zoning designations to prevail. The recommended SMCP designations would be incompatible with our zoning designations.

In summary:

1. The MRTP’s form-based zoning code was established to facilitate the development of an integrated and vibrant mixed-use community with diverse businesses, housing types, and recreational opportunities.
2. The MRTP’s form-based zoning code does not easily fall within one or more of the other community plan designations.
3. The SMCP provides for a designation - SPD - to address districts that do not easily fall within one or more of the other community plan designations. MRTP meets this definition.
4. The current recommended SMCP designations are incompatible with MRTP’s form-based zoning code.
5. Therefore, the designation for the MRTP should be SPD.

For these reasons outlined above, we request that the South Maui Community Plan Advisory Committee consider designating the MRTP as SPD in the SMCP.



Thank you for the opportunity to submit this testimony.

Sincerely,



Ryan Churchill

President

