

PLANNING AND LAND USE COMMITTEE

Council of the County of Maui

Meeting Agenda

June 15, 2004

1:30 p.m.

Council Chamber, 8th Floor
200 South High Street, Wailuku, Hawaii

website: <http://www.co.maui.hi.us/committees/PLU/>

e-mail: plu.committee@co.maui.hi.us

COMMITTEE MEMBERS

Wayne K. Nishiki, Chair

G. Riki Hokama, Vice-Chair

Robert Carroll

Jo Anne Johnson

Dain P. Kane

Danny A. Mateo

Michael J. Molina

Joseph Pontanilla

Charmaine Tavares

AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time, and for tentative scheduling of agenda items, please contact the Committee Staff (David Raatz or Yvette Bantilan) at: Office of Council Services, 200 South High Street, Wailuku, HI 96793, 808-270-7838, 1-800-272-0026 (toll-free from Molokai), 1-800-272-0098 (toll-free from Lanai), 808-270-7686 (fax).

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. If written testimony is submitted at the meeting, 15 copies are requested. If written testimony is e-mailed or faxed, please submit at least 24 hours before the meeting so that copies can be provided to Council members in a timely manner.

INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE should call the Office of Council Services at least three days in advance.

DOCUMENTS ON FILE WITH THE COMMITTEE, which may include correspondence relating to the agenda items below, may be inspected prior to the meeting date. Photocopies may be ordered, subject to charges imposed by law (Maui County Code, Sec. 2.64.010). Please contact the Office of Council Services to make arrangements for inspection or photocopying of documents.

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PLU-12

COMMUNITY PLAN AMENDMENT FOR FIVE-LOT RESIDENTIAL SUBDIVISION (KAANAPALI)

DESCRIPTION:

Your Committee is in receipt of the following:

1. County Communication No. 01-165, from the Planning Director, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE WEST MAUI COMMUNITY PLAN AND LAND USE MAP FROM PARK (GC) TO MULTI-FAMILY FOR PROPERTY SITUATED AT LAHAINA, MAUI, HAWAII". The purpose of the proposed bill is to approve a Community Plan Amendment from Park (GC) to Multi-Family, requested by Curtis Deweese, Sunstone Realty Partners, LLC, to develop a five-lot Single-Family subdivision and related improvements on approximately 1.602 acres of land along the westerly side of Kekaa Drive in Kaanapali, Lahaina (TMK: 4-4-008:016).
2. Correspondence dated June 8, 2004, from the Department of the Corporation Counsel, transmitting the following:
 - a. A proposed resolution entitled "AUTHORIZING SETTLEMENT OF SUNSTONE REALTY PARTNERS VII, LLC V. MAUI COUNTY, ET AL., CIVIL NO. 03-1-0136(2)". The purpose of the proposed resolution is to authorize settlement of the lawsuit filed

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on April 10, 2003, by the applicant against the County and other defendants in the Second Circuit Court (State), alleging inverse condemnation, denial of due process, and denial of equal protection, under terms recommended by the Corporation Counsel in executive session.

- b. A proposed resolution entitled "REFERRING TO THE MAUI PLANNING COMMISSION A BILL TO CHANGE ZONING FROM A-2 APARTMENT DISTRICT TO R-3 RESIDENTIAL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY ALONG THE WESTERLY SIDE OF KEKAA DRIVE, KAA NAPALI, LAHAINA, MAUI, HAWAII". The purpose of the proposed resolution is to refer to the Maui Planning Commission the attached draft bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM A-2 APARTMENT DISTRICT TO R-3 RESIDENTIAL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED ALONG THE WESTERLY SIDE OF KEKAA DRIVE, KAA NAPALI, LAHAINA, MAUI, HAWAII". The purpose of the draft bill is to conditionally change the zoning for the subject property.

STATUS: The Committee may consider whether to recommend passage of the proposed bill on first reading, with or without revisions, possibly including a different Community Plan designation (such as Single-Family). In addition, the Committee may consider whether to recommend adoption of one or both of the proposed resolutions, with or without revisions. The Committee may also consider other related action, including the possible filing of County Communication No. 01-165.

NOTE: With reference to this agenda item, one or more executive meetings pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, are anticipated to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.