

COUNCIL OF THE COUNTY OF MAUI
LAND USE COMMITTEE

June 1, 2001

Committee
Report No. 01-101

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Land Use Committee, having met on May 14, 2001, makes reference to County Communication No. 01-128, from the Planning Director, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING A CONDITIONAL PERMIT TO CONSTRUCT A PARKING LOT IN THE R-2 RESIDENTIAL DISTRICT FOR PROPERTY SITUATED AT TMK 3-9-03:16, KIHEI, MAUI, HAWAII" and other related documents.

The purpose of the proposed bill is to amend a Conditional Permit (Ordinance No. 1735, as amended by Ordinance No. 1802) relating to a parking lot for the Kukui Mall Shopping Center in the R-2 Residential District for property located at Kihei, Maui, Hawaii (TMK: 3-9-03:16) as follows: (1) the Conditional Permit's expiration date shall be extended from June 14, 2003 to June 14, 2006; and (2) the restriction on the use of parking lot to "excess" parking only shall be deleted.

Your Committee notes that the Maui Planning Commission held a public hearing and meeting on the Conditional Permit application on April 10, 2001. After reviewing the findings presented in the document entitled "MAUI PLANNING DEPARTMENT'S REPORT AND RECOMMENDATION TO THE MAUI PLANNING COMMISSION APRIL 10, 2001 MEETING", the Commission voted to recommend approval of the following requested amended conditions to the Conditional Permit:

1. That the Conditional Permit shall be valid until June 14, 2006 (instead of expiring on June 14, 2003); and
2. That the condition restricting use of the parking lot to "excess" parking shall be deleted.

COUNCIL OF THE COUNTY OF MAUI
LAND USE COMMITTEE

June 1, 2001
Page 2

Committee
Report No. 01-101

Your Committee further notes that the recommendation of the Maui Planning Commission was based upon the following conclusions:

1. There is no evidence that the ongoing use will be significantly detrimental to the public interest, convenience, or welfare.
2. The proposed use will be in harmony with the area.

At its meeting, your Committee met with the Planning Director; a Staff Planner from the Department of Planning; a Deputy Corporation Counsel; and Gwen Ohashi Hiraga, consultant for the applicants, Sheridan Ing Hawaii Partners and Olomana Land Investments.

Ms. Hiraga presented a computer-generated slide show presenting background information on the applicants' request and a map and several color pictures of Kukui Mall. The presentation noted that the property covered by the Conditional Permit comprised a relatively small portion of the shopping center's overall parking area. Ms. Hiraga informed your Committee that the applicants had also applied for a Change in Zoning for the property subject to the Conditional Permit and that the application was pending before the Maui Planning Commission. The property is currently in the R-2 Residential zone, which is why a Conditional Permit is required to authorize the property's use as a parking lot.

The Staff Planner informed your Committee that the applicants requested the deletion of the condition that the subject parking lot be used only for excess parking because they are in the process of executing additional leases at Kukui Mall, likely resulting in heightened levels of retail and other activities at the shopping center. This will likely increase the demand for parking, and there may be a corresponding need to use the subject property as a regular parking lot, according to the Staff Planner.

Your Committee voted to recommend the passage of the proposed bill on first reading and filing of County Communication No. 01-128.

COUNCIL OF THE COUNTY OF MAUI
LAND USE COMMITTEE

June 1, 2001
Page 3

Committee
Report No. 01-101

Your Committee is in receipt of a revised proposed bill, incorporating technical amendments proposed by the Department of the Corporation Counsel.

Your Land Use Committee RECOMMENDS the following:

1. That Bill No. _____ (2001), revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING A CONDITIONAL PERMIT TO CONSTRUCT A PARKING LOT IN THE R-2 RESIDENTIAL DISTRICT FOR PROPERTY SITUATED AT TMK 3-9-003:016, KIHEI, MAUI, HAWAII". PASS FIRST READING and BE ORDERED TO PRINT; and
2. That County Communication No. 01-128 be FILED.

Adoption of this report is respectfully requested.

lu:cr:0103ba:dmr

COUNCIL OF THE COUNTY OF MAUI
LAND USE COMMITTEE

June 1, 2001
Page 4

Committee
Report No. 01-101

ALAN M. ARAKAWA **Chair**

DAIN P. KANE **Member**

PATRICK S. KAWANO **Vice-Chair**

MICHAEL J. MOLINA **Member**

ROBERT CARROLL **Member**

WAYNE K. NISHIKI **Member**

G. RIKI HOKAMA **Member**

CHARMAINE TAVARES **Member**

JO ANNE JOHNSON **Member**