

COUNCIL OF THE COUNTY OF MAUI
LAND USE COMMITTEE

January 11, 2002

**Committee
Report No.**

02-2

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

Chair and Members:

Your Land Use Committee, having met on December 18, 2001, makes reference to a Miscellaneous Communication dated September 24, 2001, from the County Clerk, relating to the matter of the community plan designation of approximately 5.17 acres of land located in Kihei, Maui, Hawaii, identified for real property tax purposes as TMK: 3-9-001:157.

Your Committee notes that the communication was referred to your Committee pursuant to the recommendation of Land Use Committee Report No. 01-172.

By correspondence dated October 12, 2001, the Chair of your Committee requested that the Department of the Corporation Counsel draft a proposed bill to bring the community plan designation into conformity with the existing zoning for approximately 5.17 acres of land located in Kihei, Maui, identified for real property tax purposes as TMK: 3-9-001:157 (the site of the previously proposed Ka Ono Ulu commercial development).

By correspondence dated October 19, 2001, the Chair of your Committee requested that the Department of Planning draft and transmit to the Department of the Corporation Counsel a property description map of the subject property.

By correspondence dated November 2, 2001, the Department of the Corporation Counsel transmitted a proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE KIHEI-MAKENA COMMUNITY PLAN LAND USE MAP FROM BUSINESS/COMMERCIAL TO SINGLE-FAMILY AND MULTI-FAMILY FOR PROPERTY SITUATED AT KIHEI, MAUI, HAWAII". The purpose of the proposed bill is to amend the Kihei-Makena Community Plan Land Use Map from Business/Commercial to Single-Family and Multi-Family for approximately 5.17 acres of land located in Kihei, Maui, identified for real

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property tax purposes as TMK: 3-9-001:157. The proposed bill would bring the subject property's community plan designation into consistency with its zoning.

By correspondence dated December 10, 2001, the Chair of your Committee transmitted a draft resolution entitled "REFERRING A PROPOSED BILL AMENDING THE KIHEI-MAKENA COMMUNITY PLAN FOR PROPERTY IN THE 'KA ONO ULU' AREA OF KIHEI, MAUI, HAWAI'I TO THE MAUI PLANNING COMMISSION". The purpose of the draft resolution is to refer the above-referenced proposed bill to the Maui Planning Commission for a recommendation pursuant to Sections 8-8.4 and 8-8.6 of the Charter of the County of Maui.

At its meeting, your Committee met with the Planning Director, a Staff Planner from the Department of Planning, and a Deputy Corporation Counsel. Your Committee received public testimony in support of the draft resolution from two Kihei residents, one of whom also submitted written testimony. Your Committee also received comments from two representatives of the subject property's owner, who said they were not opposed to the draft resolution.

Your Committee voted to recommend adoption of the draft resolution.

Your Land Use Committee RECOMMENDS that Resolution No. _____, attached hereto, entitled "REFERRING A PROPOSED BILL AMENDING THE KIHEI-MAKENA COMMUNITY PLAN FOR PROPERTY IN THE 'KA ONO ULU' AREA OF KIHEI, MAUI, HAWAI'I TO THE MAUI PLANNING COMMISSION" be ADOPTED.

Adoption of this report is respectfully requested.

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