

LAND USE COMMITTEE

Council of the County of Maui

Meeting Agenda

December 1, 2010

1:30 p.m.

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

website: www.mauicounty.gov/committees/LU

OFFICE OF THE
COUNTY CLERK

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VOTING MEMBERS

Gladys C. Baisa, Chair

Michael J. Molina, Vice-Chair

Jo Anne Johnson

Sol P. Kaho'ohalahala

Danny A. Mateo

Bill Kauakea Medeiros

Wayne K. Nishiki

Joseph Pontanilla

Michael P. Victorino

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 (Carla Nakata or Pauline Martins) 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, 16 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.

TO LEARN MORE ABOUT COUNCIL-RELATED ISSUES, tune in to Akaku: Maui Community Television.

LU-48

CONDITIONAL PERMIT FOR A TRANSIENT VACATION RENTAL OPERATED BY DON NELSON (MAALAEA)

DESCRIPTION:

The Committee is in receipt of the following:

1. County Communication No. 08-193, from the Planning Director, transmitting documents relating to a request from Don Nelson for a Conditional Permit to continue to operate a transient vacation rental on approximately 36,691 square feet within the A-2 Apartment District, located at 210 Hauoli Street, Maalaea, Maui, Hawaii.
2. Correspondence dated January 21, 2010, from Mich Hirano, Munekiyo & Hiraga, Inc., on behalf of Don Nelson, requesting the withdrawal of the Conditional Permit application.

STATUS:

The Committee may consider whether to recommend the filing of County Communication No. 08-193 and other related action.

MORE →

LU-33**PA`ANI MAI PARK (HANA)****DESCRIPTION:**

The Committee is in receipt of the following:

1. County Communication No. 08-60, from Councilmember Bill Kauakea Medeiros, transmitting a draft resolution to refer to the Maui Planning Commission the following draft bills to facilitate the proposed expansion of, and improvements to, Pa`ani Mai Park: (1) a draft bill to amend the State Land Use District Classification from Agricultural to Urban for approximately 2.946 acres located at Hana, Maui; (2) a draft bill to amend the Hana Community Plan from Multi-Family to Park for approximately 1.907 acres located at Hana, Maui; and (3) a draft bill to change the zoning from Interim District to PK-2 Community Park District for approximately 2.946 acres located at Hana, Maui.
2. Correspondence dated July 22, 2009, from the Planning Director, transmitting the following:
 - a. Comments on the draft bills from the Maui Planning Commission, in response to Resolution No. 08-92, entitled "REFERRING TO THE MAUI PLANNING COMMISSION DRAFT BILLS TO, RESPECTIVELY, ENACT A STATE LAND USE DISTRICT CLASSIFICATION AMENDMENT, ENACT A COMMUNITY PLAN AMENDMENT, AND ESTABLISH ZONING FOR PROPERTY SITUATED AT HANA, MAUI, HAWAII FOR THE PROPOSED EXPANSION OF, AND IMPROVEMENTS TO, PA`ANI MAI PARK", adopted on November 7, 2008.
 - b. A proposed bill to amend the State Land Use District Classification from Agricultural to Urban for approximately 2.946 acres located at Hana, Maui (TMK: (2) 1-4-06:025 and (2) 1-4-06:001 (por.)) to facilitate the proposed expansion of, and improvements to, Pa`ani Mai Park.
 - c. A proposed bill to amend the Hana Community Plan and Land Use Map from Multi-Family to Park for approximately 1.907 acres located at Hana, Maui (TMK: (2) 1-4-06:001 (por.)) to facilitate the proposed expansion of, and improvements to, Pa`ani Mai Park.
 - d. A proposed bill, entitled "A BILL FOR AN ORDINANCE TO ESTABLISH PK-2 COMMUNITY PARK DISTRICT ZONING FOR PROPERTY SITUATED AT HANA, MAUI, HAWAII FOR THE PROPOSED EXPANSION OF, AND IMPROVEMENTS TO, PA`ANI MAI PARK", to establish PK-2 Community Park District zoning for approximately 2.946 acres located at Hana, Maui (TMK: (2) 1-4-06:025 and (2) 1-4-06:001 (por.)).
3. Land Use Committee Report No. 09-113, dated September 18, 2009, recommending passage on first reading of the proposed bills referenced in paragraph nos. 2(b) and 2(c), above, which bills were subsequently enacted as Ordinance Nos. 3693 and 3692, respectively.
4. Correspondence dated November 4, 2010, from the Planning Director, concerning the status of draft legislation to amend Chapter 19.615, Maui County Code, relating to Park Districts, and noting that the property has all entitlements needed to complete contemplated park improvements.

STATUS:

The Committee may consider whether to recommend the filing of County Communication No. 08-60, which would dispose of the proposed bill referenced in paragraph no. 2(d), above, and other related action.

LU-49 CONDITIONAL PERMIT FOR SEABURY HALL TO CONSTRUCT A CREATIVE ARTS FACILITY AND GRASSED PARKING LOT (MAKAWAO)

DESCRIPTION: The Committee is in receipt of County Communication No. 10-233, from the Planning Director, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE GRANTING SEABURY HALL A CONDITIONAL PERMIT TO ALLOW CONSTRUCTION OF A CREATIVE ARTS FACILITY AND GRASSED PARKING LOT WITHIN THE COUNTY AGRICULTURAL DISTRICT FOR PROPERTY SITUATED AT TMK: (2) 2-4-008:001 (POR.), MAKAWAO, MAUI, HAWAII". The purpose of the proposed bill is to grant a request from Seabury Hall for a Conditional Permit to construct a creative arts facility and grassed parking lot on approximately 9.476 acres of vacant, undeveloped land it owns within the County Agricultural District, situated at 305 Meha Road, Makawao, Maui, Hawaii.

STATUS: The Committee may consider whether to recommend passage of the proposed bill on first reading, with or without revisions. The Committee may also consider the filing of County Communication No. 10-233 and other related action.

NOTE: THE COMMITTEE CHAIR HAS RECOMMENDED THAT THE FOLLOWING COMMUNICATIONS BE REFERRED TO THE COUNCIL CHAIR FOR THE TERM BEGINNING JANUARY 2, 2011, PURSUANT TO RULE 21 OF THE RULES OF THE COUNCIL.

LU-2 COMMUNITY PLAN DESIGNATION FOR 5.171-ACRE PARCEL AT SITE OF PREVIOUSLY PROPOSED KA ONO ULU COMMERCIAL DEVELOPMENT AND NEARBY 7-ACRE PARCEL (KIHEI)

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
09/21/2001	MISC.	County Clerk, referring the matter relating to the community plan designation of approximately 5.171 acres of land located in Kihei, Maui, Hawaii, identified as TMK: (2) 3-9-01:157.
02/15/2002	GC 02-1	Doyle G. Betsill, President of Kenranes, Ltd., requesting that the Kihei-Makena Community Plan designation for TMK: (2) 3-9-01:162 be redesignated from Park to Multi-Family.