

LAND USE COMMITTEE

Council of the County of Maui

Meeting Agenda

Wednesday, March 2, 2011

3:00 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

Robert Carroll, Chair

Mike White, Vice-Chair

Gladys C. Baisa

Elle Cochran

Donald G. Couch, Jr.

G. Riki Hokama

Danny A. Mateo

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 (Kirstin Hamman 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. Each testifier shall be allowed to speak for three minutes on each item. If additional time is requested, the testifier shall be allowed one minute to conclude the testimony on the item. These time limits may be suspended pursuant to the Rules of the Council, provided a suspension would apply equally to all testifiers and all items. No further oral testimony by the testifier on the item shall be permitted. An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify. To ensure its distribution prior to the meeting, written testimony must be received in the Office of Council Services at least 24 hours prior to the meeting; provided, that if a meeting will be held on a Monday, written testimony shall be received by 12:00 noon on the business day preceding the meeting. If written testimony is submitted at the meeting, 16 copies are requested.

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-3(1)

CHAPTER 201H, HAWAII REVISED STATUTES, AFFORDABLE HOUSING PROJECTS (KAIWAHINE VILLAGE)

DESCRIPTION:

The Committee is in receipt of the following:

1. Correspondence dated February 3, 2011, from the Director of Housing and Human Concerns, transmitting the following:
 - a. An application for the development of the proposed Kaiwahine Village on approximately 9.289 acres at the intersection of Kaiwahine Street and Hale Kai Street, Kihei, Maui, Hawaii, TMK: (2) 3-8-04:028, pursuant to Section 201H-38, Hawaii Revised Statutes (HRS). The proposed project consists of a 120 multi-family unit subdivision.

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- b. A proposed resolution entitled "APPROVING THE KAIWAHINE VILLAGE PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES". The purpose of the proposed resolution is to approve the proposed project with various exemptions from requirements contained in the Maui County Code and in Ordinance No. 3683 (2009), relating to planning, zoning, construction standards for subdivisions, the development and improvement of land, and the construction of dwelling units.
 - c. A proposed resolution entitled "APPROVING WITH MODIFICATION THE KAIWAHINE VILLAGE PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES". The purpose of the proposed resolution is to approve the proposed project with the modifications in Exhibit "1" and various exemptions from requirements contained in the Maui County Code and in Ordinance No. 3683 (2009), relating to planning, zoning, construction standards for subdivisions, the development and improvement of land, and the construction of dwelling units.
 - d. A proposed resolution entitled "DISAPPROVING THE KAIWAHINE VILLAGE PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES". The purpose of the proposed resolution is to disapprove the proposed project.
2. Correspondence dated February 15, 2011, from the Department of the Corporation Counsel, transmitting the following:
 - a. A revised proposed resolution entitled "APPROVING THE KAIWAHINE VILLAGE PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES". The revised proposed resolution removes proposed Exemptions A(2) through A(4), relating to Chapter 2.96, Maui County Code (the Residential Workforce Housing Policy).
 - b. A revised proposed resolution entitled "APPROVING WITH MODIFICATION THE KAIWAHINE VILLAGE PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES". The revised proposed resolution removes proposed Exemptions A(2) through A(4), relating to Chapter 2.96, Maui County Code.
 3. A document entitled "Kaiwahine Affordable Housing Subdivision" containing 11 pages, submitted by the Director of Housing and Human Concerns at the Land Use Committee meeting of February 16, 2011, amending Section I, Project Overview, of the application.
 4. A document entitled "Appendix D AMENDED: Proposed Section 201H-38, HRS, Exemptions", submitted by the Director of Housing and Human Concerns at the Land Use Committee meeting of February 16, 2011, amending Appendix D of the application.

STATUS:

Pursuant to Section 201H-38, HRS, the Council shall, by March 21, 2011, approve, approve with modification, or disapprove the proposed project, as amended by the Director of Housing and Human Concerns on February 16, 2011, or the project as amended will be deemed approved. The Committee may consider whether to recommend adoption of the proposed resolution referenced in paragraph no. 1(d), with or without revisions, or a revised proposed resolution referenced in paragraph no. 2(a) or 2(b), with or without further revisions. The Committee may also consider other related action.