

LAND USE COMMITTEE

Council of the County of Maui

Meeting Agenda

Wednesday, June 15, 2011

1:30 p.m.

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

website: www.mauicounty.gov/committees/LU

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VOTING MEMBERS

Robert Carroll, Chair
Mike White, Vice-Chair
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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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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-36

LANAI PROJECT DISTRICT 2 (KOELE) PHASE I AMENDMENT (USE OF WATER FROM HIGH LEVEL AQUIFER TO IRRIGATE GOLF COURSE)

DESCRIPTION:

The Committee is in receipt of the following:

1. County Communication No. 03-76, from the Planning Director, transmitting documents relating to Castle & Cooke Resorts, LLC's application for a Lanai Project District 2 (Koele) Phase I Amendment (Maui County Code Section 19.71.055(D)) to allow for the unrestricted use of up to 150,000 gallons per day of groundwater from the high level aquifer for the irrigation of the Koele Golf Course.

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2. Correspondence dated May 5, 2011, from Kristofer Baptist, Senior Project Coordinator, Castle & Cooke Resorts, LLC, informing the Committee that Castle & Cooke Resorts, LLC is withdrawing its application for a Lanai Project District 2 (Koele) Phase I Amendment because the requested use of groundwater is no longer necessary.

STATUS: The Committee may consider whether to recommend the filing of County Communication No. 03-76 and other related action.

LU-38**COMMUNITY PLAN AMENDMENT AND CHANGE IN ZONING FOR
NONA LANI COTTAGES LLC (KIHEI)****DESCRIPTION:**

The Committee is in receipt of the following:

1. County Communication No. 10-62, from the Planning Director, transmitting the following:
 - a. A proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE KIHEI-MAKENA COMMUNITY PLAN AND LAND USE MAP FROM MULTI-FAMILY TO HOTEL FOR PROPERTY SITUATED AT 455 SOUTH KIHEI ROAD, KIHEI, MAUI, HAWAII, TAX MAP KEY NO. (2) 3-9-041:001". The purpose of the proposed bill is to grant a request from Nona Lani Cottages LLC, to amend the Kihei-Makena Community Plan and Land Use Map from Multi-Family to Hotel for approximately 2.27 acres situated at 455 South Kihei Road, Kihei, Maui, Hawaii (the "property"), to establish consistency of the community plan designation for the past and present vacation rental use.
 - b. A proposed bill to grant a request from Nona Lani Cottages LLC to conditionally change the zoning for the property from R-2 Residential District to H-1 Hotel District, to establish consistency of the zoning designation for the past and present vacation rental use.
2. Correspondence dated September 16, 2010, from the Department of the Corporation Counsel, transmitting a revised proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM R-2 RESIDENTIAL DISTRICT TO H-1 HOTEL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT 455 SOUTH KIHEI ROAD, KIHEI, MAUI, HAWAII, TAX MAP KEY NO. (2) 3-9-041:001". The revised proposed bill incorporates nonsubstantive revisions.

STATUS: The Committee may consider whether to recommend passage of the proposed Community Plan Amendment bill referenced in paragraph no. 1(a) and the revised proposed Change in Zoning bill referenced in paragraph no. 2 on first reading, with or without revisions. The Committee may also consider the filing of County Communication No. 10-62 and other related action.