

**MAUI PLANNING COMMISSION
PORTION OF REGULAR MINUTES
ITEM C-1
DECEMBER 13, 2016**

Mr. Spence: Commissioners, we are on the first public hearing item, No. C-1. This is Planning Department transmitting Council Reso. 16-100 referring to the Maui Planning Commission a proposed bill to amend the West Maui Community Plan from Park to Business and proposed zoning change from Park to B-2 Community Business District and the Staff Planner this morning is Mr. Paul Fasi.

C. PUBLIC HEARINGS (Action to be taken after public hearing.)

1. **MR. WILLIAM SPENCE, Planning Director transmitting Council Resolution No. 16-100 referring to the Maui Planning Commission a proposed bill to amend the West Maui Community Plan designation from Park to Business and a proposed bill to change the zoning from PK General Park designation to B-2 Community Business District for portions of properties situated at TMK: 4-4-001: 010 and 4-4-014: 006, Lahaina, Maui, Hawaii. (CPA 2016/0003) (CIZ 2016/0004) (P. Fasi)**

The proposed land use entitlements involve an area of about 0.049 acres of land.

Mr. Paul Fasi: Good morning, Commissioners. Good morning, members of the public. The matter before you are two draft bill resolutions for Community Plan Amendment and Change in Zoning and the purpose of this is to correct a subdivision mapping area that happened back in 2008. And the parcel area in question is roughly 2,136 square feet, ...(inaudible-audio interference)...46 x 46 inch square that's basically the area we're talking about. I think what happened...

Chair Tsai: Paul, hold on a second. Go ahead.

Mr. Fasi: Okay. So what happened back in 2008 was the Nunes Family owned the parcel that was sitting in the middle of a park and so the County approached them or one or the other and they decided to do a land swap and shift the Nunes property up closer to Honoapiilani Highway to get a contiguous park area and they were gracious enough to agree to that. But in the subdivision mapping process somehow they got shorted this 3,100 square feet so basically this is to correct that subdivision mapping area. Colleen Suyama from Munekiyo Hiraga has a slide show but if you don't need it then we won't have to view it. I know you have a lot of things on your agenda so that completes the Department's report. You have any questions I'll be happy to answer them.

Ms. Canto: Chair, I have a question.

Chair Tsai: I think I gotta open it for public testimony. Hold on a second Paul.

a) Public Hearing

Chair Tsai: We're gonna open the public...for testimony for this particular agenda item. Anyone wish to testify on this item please come forward? Seeing none, public testimony is closed. Comments, questions from the Commission? Commissioner Canto?

Ms. Canto: Yes Paul I have a question. Is this a perpetual easement?

Mr. Fasi: Yes.

Ms. Canto: It's perpetual?

Mr. Fasi: Yes.

Ms. Canto: Okay, thank you. Thank you, Chair.

Chair Tsai: Commissioners, would you guys like to see the presentation?

Mr. Fasi: You basically have all the slides in your department report.

Chair Tsai: Okay. Commissioner Robinson?

Mr. Robinson: Hey Paul. I think this is pretty simple. We just want to move the land over a little bit.

Mr. Fasi: Yeah.

Mr. Robinson: The question I have is in that area we're changing designations to business. It was a Park to Business is that where we're switching the Nunes' property?

Mr. Fasi: You see that small yellow portion, that strip of land right there below the pink? In between the pink and green?

Mr. Robinson: I must be color blind because I don't see any yellow. Over here, this one?

Mr. Fasi: That's what we're talking about.

Mr. Robinson: That's all we're talking about. Okay, no further questions.

Chair Tsai: Any other questions from the Commission? Commissioner Hedani?

Mr. Hedani: Paul, the question that I have is...well, I have two questions actually. First question is it talks about a one for one property exchange. Where was the property that was exchanged for the one to one exchange?

Mr. Fasi: If you look at Exhibit 2 in your report there's a prior to and following, pre and post and so that's basically the land swap right there.

Mr. Hedani: Let me rephrase the question. If we're changing 0.049 acres park land to commercial which is I guess what we're doing was there 0.049 acres of land that was provided for park purposes somewhere?

Mr. Fasi: I'm assuming it was. I don't think the County would do a lesser for more land swap with the Nunes Family. I'm assuming it's a one for one but because the subdivision process moved the easement from five feet to ten feet they have to make up that area to the Nunes Family to make it equitable in which it was originally agreed to back in 2008. So the square footage I'm assuming back in 2008 was already agreed to but when they did the subdivision they were shorted. So this resolution is to correct that subdivision error. That's all it is.

Chair Tsai: Commissioner Hedani?

Mr. Hedani: Somebody else has a question.

Chair Tsai: Oh, I thought you raised your hand.

Mr. Hedani: Another question that I had was what is the easement, what purpose is the easement for?

Mr. Fasi: It's for MECO, Maui Electric. Yeah, it's a Maui Electric easement.

Chair Tsai: Any other questions from the Commission?

Mr. Robinson: Move to approve.

Ms. Canto: Second.

Chair Tsai: Wait. Can I have the Department's recommendation first? I know we all...(inaudible)...get this going.

Mr. Fasi: The Maui Planning Department recommends that the Maui Planning Commission that it recommend to the Maui County Council approval of both bills without modification. It has to go back to the Council for further action.

Mr. Robinson: Move to approve.

Ms. Canto: Second.

Chair Tsai: Okay moved by Commissioner Robinson, second by Commissioner Canto. Discussion regarding the motion? Director will you please repeat the motion?

Mr. Spence: The motion is to approve as recommended by Staff.

Chair Tsai: Okay, call for a vote. All in favor?

Mr. Spence: That's seven ayes. Motion carries.

Chair Tsai: Motion carries. Thank you.

Mr. Fasi: Thank you.

It was then moved by Mr. Robinson, seconded by Ms. Canto, then

**VOTED: To Recommend Approval of the Proposed Bill to Amend the West Maui Community Plan Designation and Change in Zoning to the County Council as Recommended by the Department.
(Assenting – K. Robinson, P. Canto, L. Carnicelli, L. Hudson,
W. Hedani, S. Castro, R. Higashi)
(Excused – S. Duvauchelle)**