

# LAND USE COMMITTEE

Council of the County of Maui

## Meeting Agenda

August 6, 2008

1:30 p.m.

Council Chamber, 8<sup>th</sup> Floor  
200 South High Street, Wailuku, Hawaii

website: [www.mauicounty.gov/committees/LU/](http://www.mauicounty.gov/committees/LU/)

e-mail: [lu.committee@mauicounty.us](mailto:lu.committee@mauicounty.us)

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COUNTY CLERK

### VOTING MEMBERS

Michael J. Molina, Chair

Joseph Pontanilla, Vice-Chair

Michelle Anderson

Gladys C. Baisa

G. Riki Hokama

Jo Anne Johnson

Danny A. Mateo

Bill Kauakea Medeiros

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 Tammy Frias) 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-19

### **DISTRICT BOUNDARY AMENDMENT AND CHANGE IN ZONING FOR MAKAEANA PLACE SUBDIVISION (KULA)**

#### **DESCRIPTION:**

The Committee is in receipt of the following:

1. County Communication No. 07-216, from the Planning Director, transmitting requests from Christopher Hart, Chris Hart & Partners, Inc., on behalf of ten landowners, for a District Boundary Amendment from Agricultural District to Rural District, and a Change in Zoning from Agricultural District to RU-0.5 Rural District, for the development of the Makaena Place Subdivision, Kula, Maui, along with proposed bills to grant the requests.
2. Correspondence dated July 9, 2008, from the Department of the Corporation Counsel, transmitting the following revised proposed bills to grant the requested District Boundary Amendments and Changes in Zoning, while differentiating between the ten properties in the titles of the bills:
  - a. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL FOR PROPERTY SITUATED AT 109 MAKAEANA PLACE, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a District Boundary Amendment from

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- Agricultural to Rural for approximately 3.02 acres owned by Leonard Paul Gomes, Jr., located at 109 Makaena Place (TMK: (2) 2-3-32:005).
- b. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO RU-0.5 RURAL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT 109 MAKAENA PLACE, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a Change in Zoning from Agricultural District to RU-0.5 Rural District for approximately 3.02 acres owned by Leonard Paul Gomes, Jr., located at 109 Makaena Place (TMK: (2) 2-3-32:005).
  - c. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL FOR PROPERTY SITUATED AT 143 MAKAENA PLACE, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a District Boundary Amendment from Agricultural to Rural for approximately 2.98 acres owned by Sibyl P. Padgett, as Trustee under the Sibyl P. Padgett Revocable Living Trust Dated May 11, 2000, located at 143 Makaena Place (TMK: (2) 2-3-32:006).
  - d. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO RU-0.5 RURAL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT 143 MAKAENA PLACE, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a Change in Zoning from Agricultural District to RU-0.5 Rural District for approximately 2.98 acres owned by Sibyl P. Padgett, as Trustee under the Sibyl P. Padgett Revocable Living Trust Dated May 11, 2000, located at 143 Makaena Place (TMK: (2) 2-3-32:006).
  - e. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL FOR PROPERTY SITUATED AT 189 MAKAENA PLACE, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a District Boundary Amendment from Agricultural to Rural for approximately 3.21 acres owned by Frank D. Padgett, as Trustee under the Frank D. Padgett Revocable Living Trust Dated May 11, 2000, located at 189 Makaena Place (TMK: (2) 2-3-32:007).
  - f. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO RU-0.5 RURAL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT 189 MAKAENA PLACE, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a Change in Zoning from Agricultural District to RU-0.5 Rural District for approximately 3.21 acres owned by Frank D. Padgett, as Trustee under the Frank D. Padgett Revocable Living Trust Dated May 11, 2000, located at 189 Makaena Place (TMK: (2) 2-3-32:007).
  - g. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL FOR PROPERTY SITUATED AT 271 MAKAENA PLACE, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a District Boundary Amendment from Agricultural to Rural for approximately 3.19 acres owned by Patricia H. Masumoto, located at 271 Makaena Place (TMK: (2) 2-3-32:008).
  - h. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO RU-0.5 RURAL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT 271 MAKAENA PLACE, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a Change in Zoning from Agricultural District to RU-0.5 Rural District for approximately 3.19 acres owned by Patricia H. Masumoto, located at 271 Makaena Place (TMK: (2) 2-3-32:008).
  - i. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL FOR PROPERTY SITUATED AT 288 MAKAENA PLACE, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a District Boundary Amendment from Agricultural to Rural for approximately 2.78 acres owned by Louis G. Cambra, Jr. and Irene S. Cambra, Trustees of the Louis G. Cambra, Jr. and Irene S. Cambra Revocable Living Trust Dated May 24, 2000, located at 288 Makaena Place (TMK: (2) 2-3-32:010).

- j. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO RU-0.5 RURAL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT 288 MAKAENA PLACE, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a Change in Zoning from Agricultural District to RU-0.5 Rural District for approximately 2.78 acres owned by Louis G. Cambra, Jr., and Irene S. Cambra, Trustees of the Louis G. Cambra, Jr. and Irene S. Cambra Revocable Living Trust Dated May 24, 2000, located at 288 Makaena Place (TMK: (2) 2-3-32:010).
- k. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL FOR PROPERTY SITUATED AT 236 MAKAENA PLACE, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a District Boundary Amendment from Agricultural to Rural for approximately 2.67 acres owned by Steven J. Sadler, Trustee under the Steven J. Sadler Trust Agreement dated May 30, 1989, and Patty J. Sadler, Trustee under the Patty J. Sadler Trust Agreement dated May 30, 1989, located at 236 Makaena Place (TMK: (2) 2-3-32:011).
- l. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO RU-0.5 RURAL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT 236 MAKAENA PLACE, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a Change in Zoning from Agricultural District to RU-0.5 Rural District for approximately 2.67 acres owned by Steven J. Sadler, Trustee under the Steven J. Sadler Trust Agreement dated May 30, 1989, and Patty J. Sadler, Trustee under the Patty J. Sadler Trust Agreement dated May 30, 1989, located at 236 Makaena Place (TMK: (2) 2-3-32:011).
- m. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL FOR PROPERTY SITUATED AT 174 MAKAENA PLACE, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a District Boundary Amendment from Agricultural to Rural for approximately 2.67 acres owned by Robert D. Kimball and Marlu Kimball, located at 174 Makaena Place (TMK: (2) 2-3-32:012).
- n. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO RU-0.5 RURAL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT 174 MAKAENA PLACE, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a Change in Zoning from Agricultural District to RU-0.5 Rural District for approximately 2.67 acres owned by Robert D. Kimball and Marlu Kimball, located at 174 Makaena Place (TMK: (2) 2-3-32:012).
- o. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL FOR PROPERTY SITUATED AT 88 MAKAENA PLACE, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a District Boundary Amendment from Agricultural to Rural for approximately 2.67 acres owned by Eugene Paul Carvalho, Cherylann Puaala Carvalho, Frank Carvalho, Jr., and Ricky T. Carvalho, located at 88 Makaena Place (TMK: (2) 2-3-32:014).
- p. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO RU-0.5 RURAL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT 88 MAKAENA PLACE, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a Change in Zoning from Agricultural District to RU-0.5 Rural District for approximately 2.67 acres owned by Eugene Paul Carvalho, Cherylann Puaala Carvalho, Frank Carvalho, Jr., and Ricky T. Carvalho, located at 88 Makaena Place (TMK: (2) 2-3-32:014).
- q. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL FOR PROPERTY SITUATED AT 64 MAKAENA PLACE, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a District Boundary Amendment from Agricultural to Rural for approximately 2.13 acres owned by Frank Carvalho and Mary Carvalho, located at 64 Makaena Place (TMK: (2) 2-3-32:015).

- r. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO RU-0.5 RURAL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT 64 MAKAENA PLACE, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a Change in Zoning from Agricultural District to RU-0.5 Rural District for approximately 2.13 acres owned by Frank Carvalho and Mary Carvalho, located at 64 Makaena Place (TMK: (2) 2-3-32:015).
- s. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL FOR PROPERTY SITUATED AT 26 KULA HIGHWAY, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a District Boundary Amendment from Agricultural to Rural for approximately 2.16 acres owned by Robert A. Watanabe and Astrid I. Watanabe, located at 26 Kula Highway (TMK: (2) 2-3-32:016).
- t. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO RU-0.5 RURAL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT 26 KULA HIGHWAY, KULA, MAUI, HAWAII". The purpose of the revised proposed bill is to grant a Change in Zoning from Agricultural District to RU-0.5 Rural District for approximately 2.16 acres owned by Robert A. Watanabe and Astrid I. Watanabe, located at 26 Kula Highway (TMK: (2) 2-3-32:016).

**STATUS:** The Committee may consider whether to recommend passage of the revised proposed bills on first reading, with or without further revisions. The Committee may also consider the filing of County Communication No. 07-216 and other related action.

## LU-30

### CHANGE IN ZONING FOR KIHEI BAPTIST CHAPEL

**DESCRIPTION:**

The Committee is in receipt of the following:

1. County Communication No. 08-40 from the Planning Director, transmitting a proposed bill to grant a request from Rusty Summers, Chairman, Board of Trustees, Kihei Baptist Chapel, on behalf of Kihei Baptist Chapel, for a Change in Zoning from R-2 Residential District to P-1 Public/Quasi-Public District for approximately 2.337 acres located at 1655 S. Kihei Road, Kihei, Maui, Hawaii (TMK: (2) 3-9-27:006).
2. Correspondence dated July 30, 2008, 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 P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR PROPERTY SITUATED AT KIHEI, MAUI, HAWAII". The purpose of the revised proposed bill is to grant the request. The revised proposed bill incorporates technical revisions to the proposed bill.

**STATUS:** The Committee may consider whether to recommend passage of the revised proposed bill on first reading, with or without further revisions. The Committee may also consider the filing of County Communication No. 08-40 and other related action.