

**COUNCIL OF THE COUNTY OF MAUI**  
**LAND USE COMMITTEE**

August 14, 2006

**Committee**  
**Report No.**

\_\_\_\_\_ 06-92

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Land Use Committee, having met on August 2, 2006, makes reference to County Communication No. 06-54, from the Planning Director, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3000 (2001), AS AMENDED BY ORDINANCE NO. 3206 (2004), PERTAINING TO THE GRANTING OF A CONDITIONAL PERMIT TO ALLOW FOR THE CONTINUED OPERATION OF A RETAIL GROCERY STORE AND SNACK BAR WITHIN THE COUNTY AGRICULTURAL DISTRICT FOR PROPERTY SITUATED AT PUKO'O, MOLOKAI, HAWAII".

The purpose of the proposed bill is to transfer a Conditional Permit for the continued operation of a retail grocery store and snack bar from MIA, Inc. to The Takata Corporation, dba Mana'e Goods & Grindz, on approximately 20,045 square feet in Pukoo, Molokai (TMK: (2) 5-7-05:004 (portion)). Your Committee notes that the applicant, The Takata Corporation Inc., has not requested a time extension of the Conditional Permit, which will expire on November 5, 2011.

Your Committee notes that the Molokai Planning Commission held a public hearing on the application on October 12, 2005.

Your Committee further notes that the Molokai Planning Commission, after reviewing the findings, conclusions, and recommendation presented in the document entitled "MAUI PLANNING DEPARTMENT'S REPORT AND RECOMMENDATION TO THE MOLOKAI PLANNING COMMISSION OCTOBER 12, 2005 MEETING", voted to recommend approval of the transfer of the Conditional Permit on October 12, 2005. Your Committee also notes that the Molokai Planning Commission filed its "FINDINGS OF FACT, CONCLUSION OF LAW, AND DECISION AND ORDER OF THE MOLOKAI PLANNING COMMISSION" on November 18, 2005.

By correspondence dated March 10, 2006, the Chair of your Committee requested that the Department of the Corporation Counsel revise the proposed bill, if appropriate, for consistency with the business name reflected on the Department of Commerce and

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Consumer Affairs' website (The Takata Corporation Inc.) and the cancellation of the trade name, "Mana`e Goods & Grindz".

By correspondence dated March 14, 2006, the Department of the Corporation Counsel transmitted a revised proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3000 (2001), AS AMENDED BY ORDINANCE NO. 3206 (2004), PERTAINING TO THE GRANTING OF A CONDITIONAL PERMIT TO ALLOW FOR THE CONTINUED OPERATION OF A RETAIL GROCERY STORE AND SNACK BAR WITHIN THE COUNTY AGRICULTURAL DISTRICT FOR PROPERTY SITUATED AT PUKO`O, MOLOKAI, HAWAII", revising the name of the corporation; deleting reference to the trade name, "Mana`e Goods & Grindz"; and making a nonsubstantive revision.

At its meeting, your Committee met with the Planning Director; a Planner, Department of Planning; the Deputy Director of Public Works and Environmental Management; a Deputy Corporation Counsel; and Lisa Takata, Vice President, The Takata Corporation Inc.

There was no public testimony.

The Planner provided a brief summary of the application, the land use designations for the subject property, and the proceedings before the Molokai Planning Commission.

Ms. Takata noted that the applicant is requesting a transfer of the Conditional Permit from MIA, Inc. to The Takata Corporation Inc.

The Planner advised your Committee that the Conditional Permit will expire in 2011. She further advised that the applicant had received authorization from the property owner, Moncado and His Mission, Limited, to obtain the Conditional Permit, and that the applicant has a lease for the use of the property. She noted that the hours of operation will remain unchanged.

Your Committee noted that the subject retail grocery store and snack bar is the only operation of its kind in the area.

Your Committee recommended that the revised proposed bill be further revised to correct a typographical error in Section 2, relating to the printing of the bill.

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Your Committee voted to recommend passage of the further revised proposed bill and filing of the communication.

Your Committee is in receipt of the further revised proposed bill, approved as to form and legality by the Department of the Corporation Counsel, incorporating your Committee's requested revision.

Your Land Use Committee RECOMMENDS the following:

1. That Bill No. \_\_\_\_\_ (2006), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3000 (2001), AS AMENDED BY ORDINANCE NO. 3206 (2004), PERTAINING TO THE GRANTING OF A CONDITIONAL PERMIT TO ALLOW FOR THE CONTINUED OPERATION OF A RETAIL GROCERY STORE AND SNACK BAR WITHIN THE COUNTY AGRICULTURAL DISTRICT FOR PROPERTY SITUATED AT PUKO'O, MOLOKAI, HAWAII", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication No. 06-54 be FILED.

Adoption of this report is respectfully requested.

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**ROBERT CARROLL** **Chair**

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**DAIN P. KANE** **Member**

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**JOSEPH PONTANILLA** **Vice-Chair**

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**DANNY A. MATEO** **Member**

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**MICHELLE ANDERSON** **Member**

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**MICHAEL J. MOLINA** **Member**

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**G. RIKI HOKAMA** **Member**

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**CHARMAINE TAVARES** **Member**

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**JO ANNE JOHNSON** **Member**