

PLANNING AND LAND USE COMMITTEE

Council of the County of Maui

Meeting Agenda

March 2, 2004

9:00 a.m.

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

website: <http://www.co.maui.hi.us/committees/PLU/>

e-mail: plu.committee@co.maui.hi.us

COMMITTEE MEMBERS

Wayne K. Nishiki, Chair

G. Riki Hokama, Vice-Chair

Robert Carroll

Jo Anne Johnson

Dain P. Kane

Danny A. Mateo

Michael J. Molina

Joseph Pontanilla

Charmaine Tavares

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 (David Raatz or Yvette Bantilan) 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, 15 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.

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PLU-55

MAUI PREPARATORY ACADEMY (NAPILI)

DESCRIPTION:

The Committee is in receipt of the following:

1. County Communication No. 04-40, from Councilmember Jo Anne Johnson, relating to land-use approvals for the proposed Maui Preparatory Academy in Napili.
2. Correspondence dated February 25, 2004, from Councilmember Jo Anne Johnson, transmitting the following:
 - a. A draft bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE WEST MAUI COMMUNITY PLAN FROM AGRICULTURAL TO PUBLIC/QUASI-PUBLIC FOR PROPERTY SITUATED AT NAPILI, MAUI FOR THE PROPOSED MAUI PREPARATORY ACADEMY". The purpose of the draft bill is to approve a Community Plan Amendment for approximately 14.990 acres of property situated at Napili, Maui for the proposed Maui Preparatory Academy (TMK: (2) 4-03-01:01 (portion)).

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- b. A draft bill entitled "A BILL FOR AN ORDINANCE TO CHANGE THE ZONING FROM AGRICULTURAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR PROPERTY SITUATED AT NAPILI, MAUI FOR THE PROPOSED MAUI PREPARATORY ACADEMY". The purpose of the draft bill is to approve a Change in Zoning for approximately 14.990 acres of property situated at Napili, Maui for the proposed Maui Preparatory Academy (TMK: (2) 4-03-01:01 (portion)).
- c. A draft bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO URBAN FOR PROPERTY SITUATED AT NAPILI, MAUI FOR THE PROPOSED MAUI PREPARATORY ACADEMY". The purpose of the draft bill is to approve a State Land Use District Classification Amendment for approximately 14.990 acres of property situated at Napili, Maui for the proposed Maui Preparatory Academy (TMK: (2) 4-03-01:01 (portion)).
- d. A draft resolution entitled "REFERRING TO THE MAUI PLANNING COMMISSION BILLS TO, RESPECTIVELY, ENACT A COMMUNITY PLAN AMENDMENT, A CHANGE IN ZONING, AND A STATE LAND USE DISTRICT CLASSIFICATION AMENDMENT FOR PROPERTY SITUATED AT NAPILI, MAUI FOR THE PROPOSED MAUI PREPARATORY ACADEMY". The purpose of the draft resolution is to refer the above-referenced draft bills to the appropriate planning commission.

STATUS: The Committee may consider whether to recommend adoption of the draft resolution, with or without revisions. The Committee may also consider the possible filing of County Communication No. 04-40 and other related action.

PLU-12 COMMUNITY PLAN AMENDMENT FOR FIVE-LOT RESIDENTIAL SUBDIVISION (KAANAPALI)

DESCRIPTION: By County Communication No. 01-165, the Planning Director transmitted a proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE WEST MAUI COMMUNITY PLAN AND LAND USE MAP FROM PARK (GC) TO MULTI-FAMILY FOR PROPERTY SITUATED AT LAHAINA, MAUI, HAWAII". The purpose of the proposed bill is to approve a Community Plan Amendment from Park (GC) to Multi-Family, requested by Curtis Deweese, Sunstone Realty Partners, LLC, to develop a five-lot Single-Family subdivision and related improvements on approximately 1.602 acres of land in Kaanapali, Lahaina (TMK: 4-4-008:016).

STATUS: The Committee may consider whether to recommend passage of the proposed bill on first reading, with or without revisions. The Committee may also consider other related action, including the possible filing of County Communication No. 01-165.

NOTE: With reference to this agenda item, one or more executive meetings pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, are anticipated to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.

PLU-52 UNILATERAL AND BILATERAL AGREEMENTS FOR LAHAINA PROJECT DISTRICT 1 (KAPALUA)

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication No. 03-307, from the Planning Director, transmitting the following:
 - a. "BILATERAL AGREEMENT FOR DEVELOPMENT AND COORDINATION OF A JOB TRAINING PROGRAM".

- b. "BILATERAL AGREEMENT FOR DEVELOPMENT AND COORDINATION OF AN AFFORDABLE HOUSING PROGRAM".
- c. "UNILATERAL AGREEMENT (Park Dedication Pursuant to MCC Section 19.73.100)".

The purpose of the agreements is to allow Maui Land & Pineapple Company, Inc. to comply with Maui County Code Subsection 19.73.100(A), relating to Lahaina Project District 1 (Kapalua).

- 2. Correspondence dated January 23, 2004, from the Planning and Land Use Committee Chair, transmitting a draft resolution entitled "APPROVING A UNILATERAL AGREEMENT EXECUTED BY MAUI LAND & PINEAPPLE COMPANY, INC. RELATING TO PARK DEDICATION PURSUANT TO MAUI COUNTY CODE SUBSECTION 19.73.100(A)(4)". The purpose of the draft resolution is to approve the Unilateral Agreement.

STATUS: The Committee will consider whether the Council should comment on the bilateral agreements, in accordance with Maui County Code Subsection 19.45.050(A)(2), and whether to adopt the draft resolution, with or without revisions. The Committee may also consider the possible filing of County Communication No. 03-307 and other related action.