

ALAN M. ARAKAWA  
Mayor

WILLIAM R. SPENCE  
Director

MICHELE CHOUREAU McLEAN  
Deputy Director



COUNTY OF MAUI  
**DEPARTMENT OF PLANNING**

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OFFICE OF THE MAYOR

March 3, 2017

Honorable Alan M. Arakawa  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

For Transmittal to:

Honorable Robert Carroll, Chair  
and Members of the Land Use Committee  
200 South High Street  
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL  
  
Mayor Date 3/3/17

Dear Chair Carroll and Members:

**SUBJECT: COMMUNITY PLAN AMENDMENT AND CONDITIONAL PERMIT FOR MAUI OCEANFRONT INN AND SARENTO'S ON THE BEACH RESTAURANT (KIHEI) (LU-25) (CPA 2006/0005) (CP 2006/0012)**

The Department of Planning (Department) has received your letter of February 22, 2017, on the above subject. In it you requested the Department's response to the following two (2) items:

1. Provide verification whether the parties to the Settlement Agreement of November 25, 2005, are in compliance with its terms and conditions.
2. Offer your recommendation on whether you believe the EA requires updating inclusive of, but not limited to, traffic impacts and environmental impacts on drainage from the proposed improvements to the parking lot.

Additionally you requested that the Department provide its written comments by Friday, March 3, 2017.

I regret that the Department does not expect to be able to provide you an adequate response by Friday, March 3, 2017. Immediately following the Committee's meeting on February 15, 2017, we requested that the Consultant for the Applicant, Chris Hart and Partners,

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agreed to provide the Department a comprehensive report of their position on compliance with the terms of the referenced Settlement Agreement. They have informed us early this week that they did not expect to be able to provide this to us until, Wednesday, March 1, 2017, pending review and approval by their client, Ruby & Sons Hospitality, LLC, the current owners of the subject properties. The Department will provide you a substantive response as soon as possible after our receipt and analysis of the compliance report from Chris Hart and Partners and related possible necessary research.

Should you have any questions, please feel free to transmit them to the Department of Planning via transmittal through the Office of the Mayor.

Sincerely,



WILLIAM SPENCE  
Planning Director

xc: Clayton I. Yoshida, Planning Program Administrator (PDF)  
Jeffrey P. Dack, Current Planning Supervisor (PDF)  
Jordan Hart, Chris Hart and Partners (Applicant's Consultant)

WRS:JPD:rma

Project File  
General File

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