



# *Maui Oceanfront Inn & Sarento's Restaurant*



- Community Plan Amendment from SF back to H*
- Conditional Use Permit for Parking Lot Use Compliant with 19.36*

*(Project has obtained a FONSI for an HRS Chapter 343 Environmental Assessment)*

RECEIVED AT Pe MEETING ON 11/15/18  
Jordan Hart





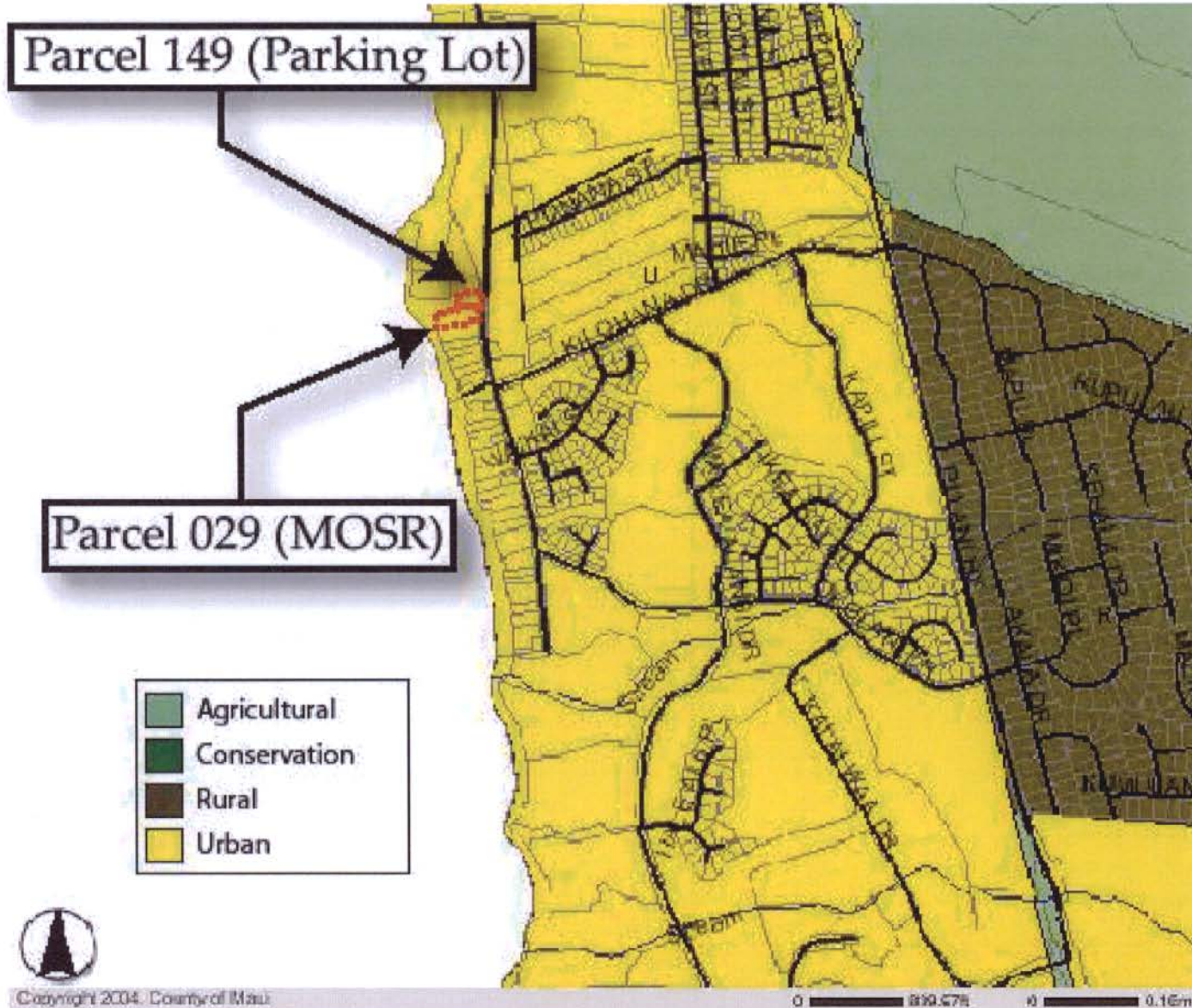
# Aerial Photo





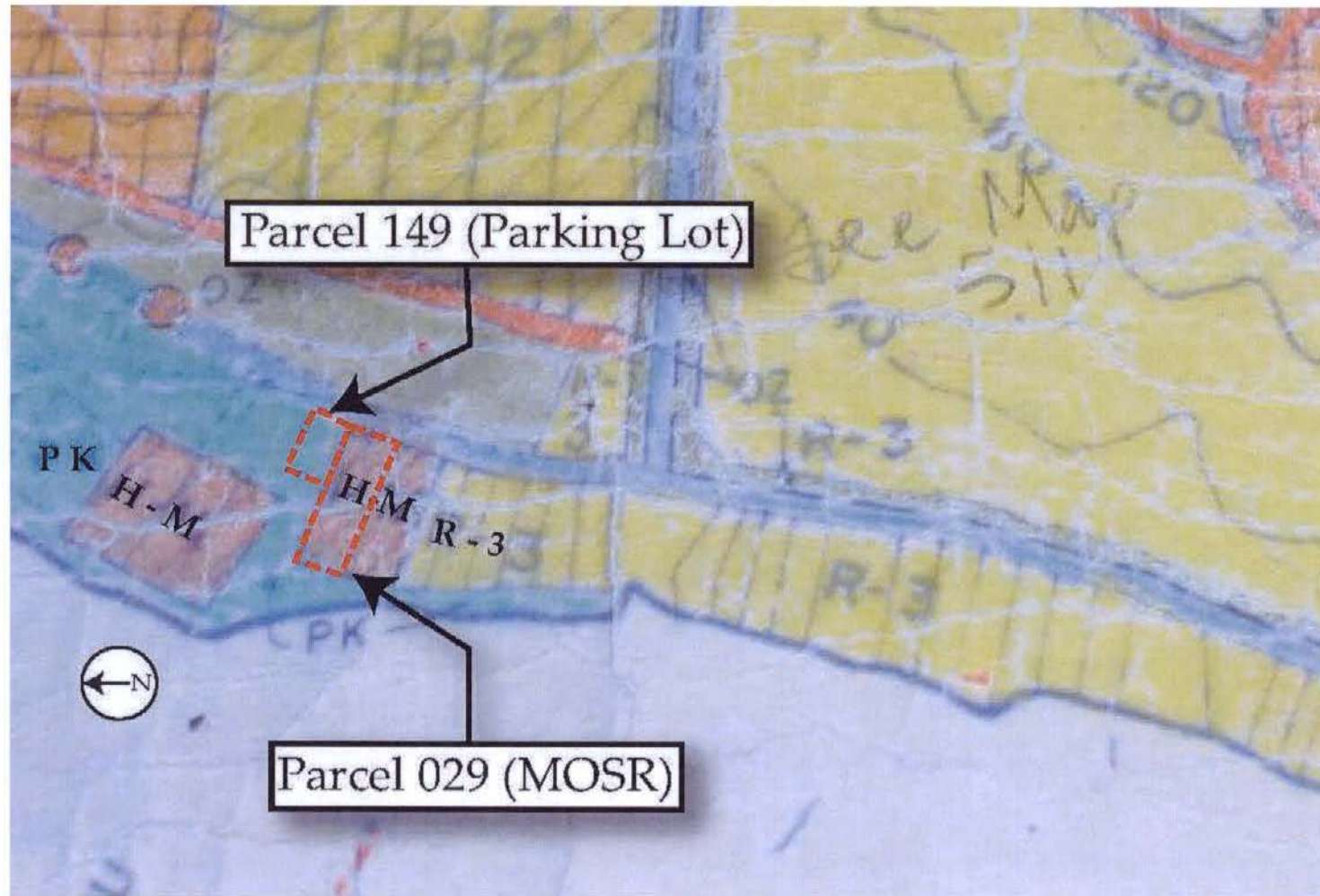


# State Land Use Map





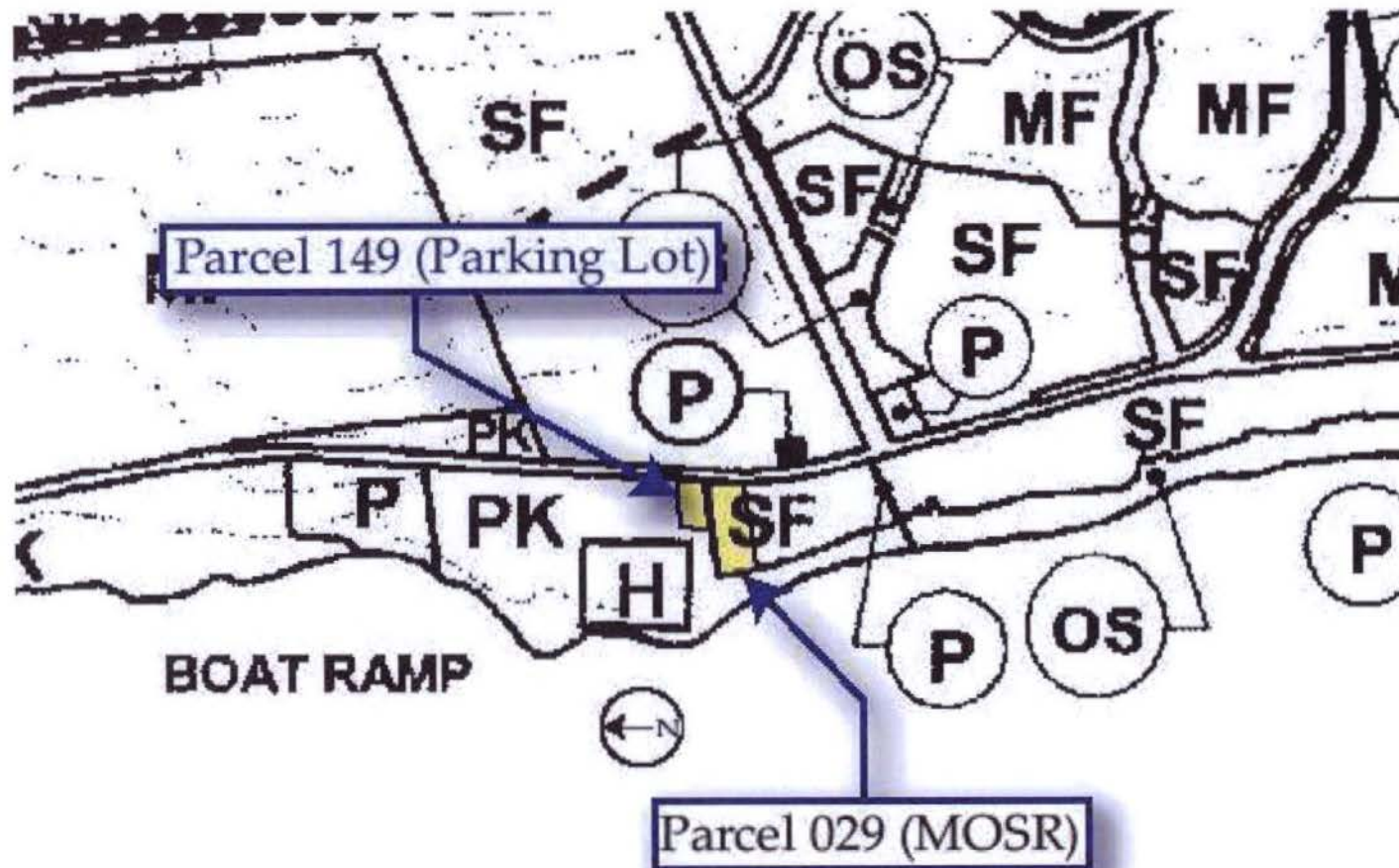
# Maui County Zoning Map, 1969

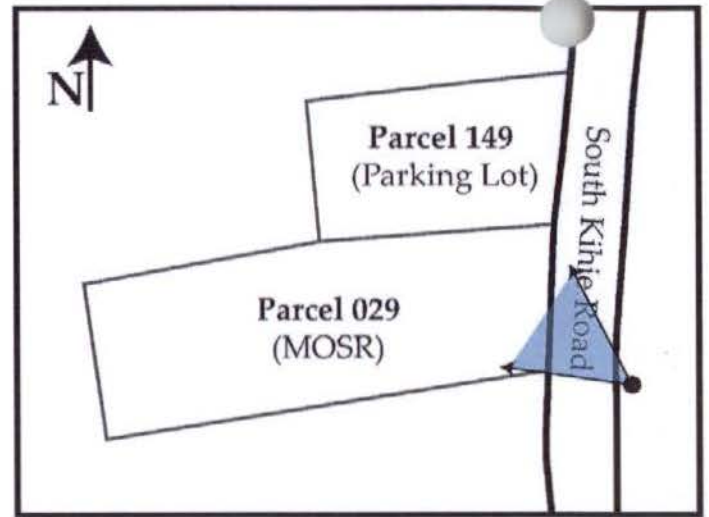




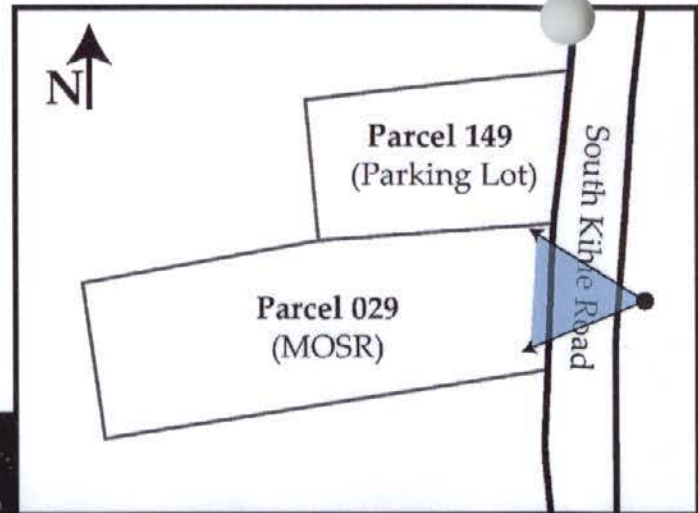


# Current Kihei-Makena Community Plan Adopted in 1998

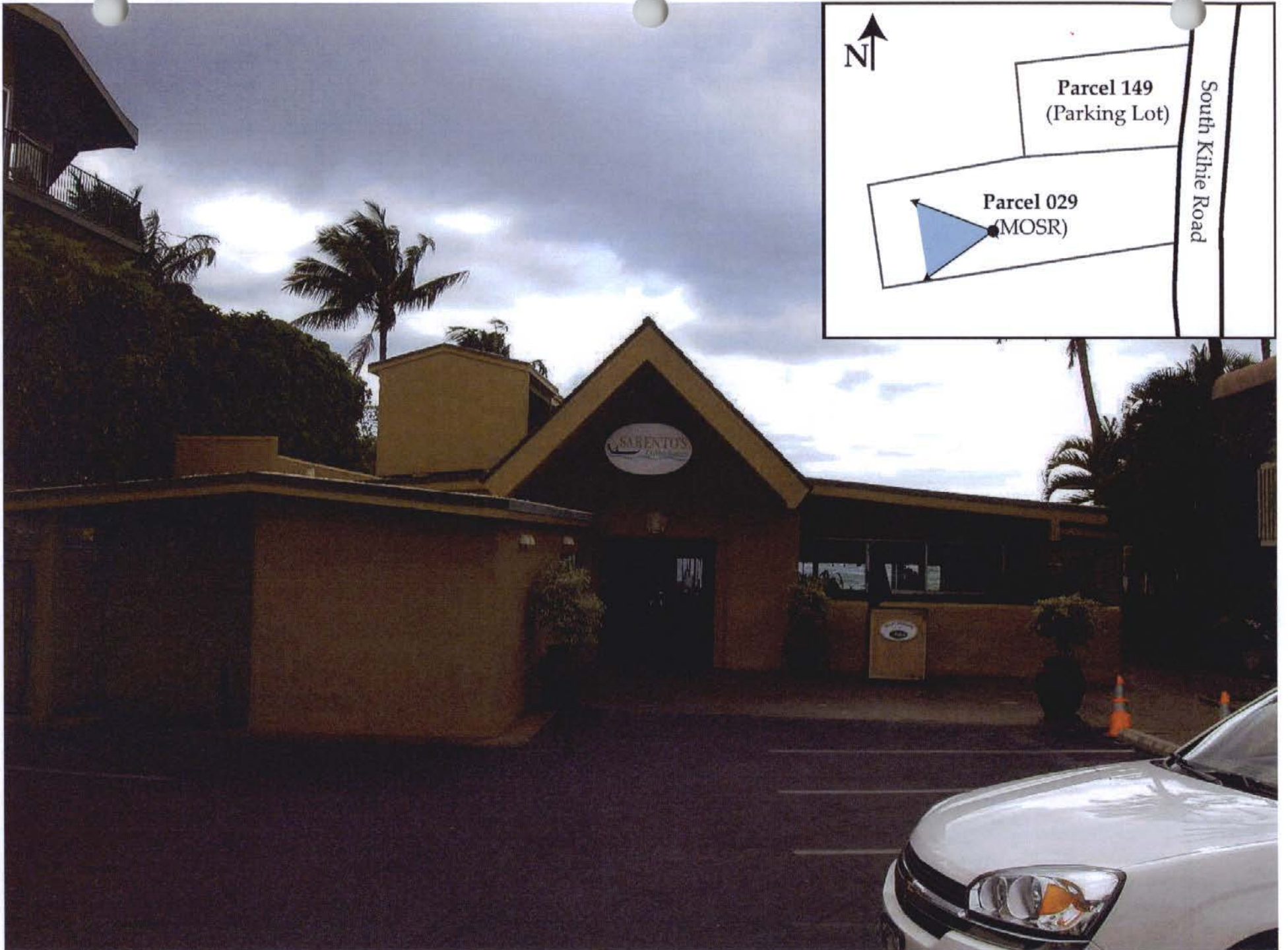












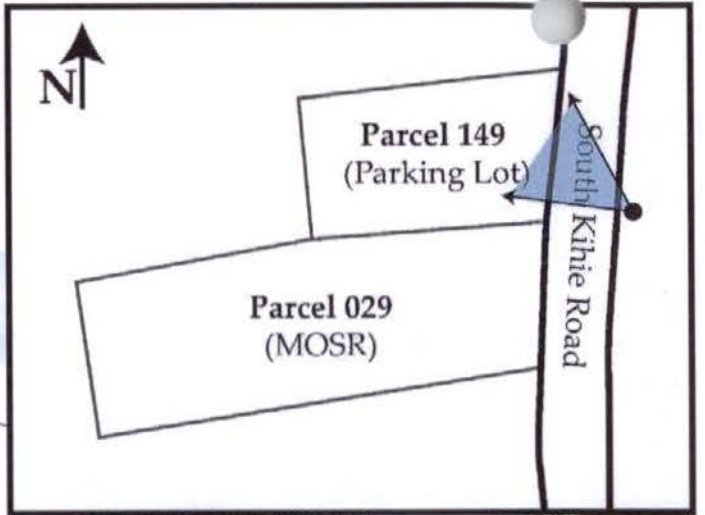
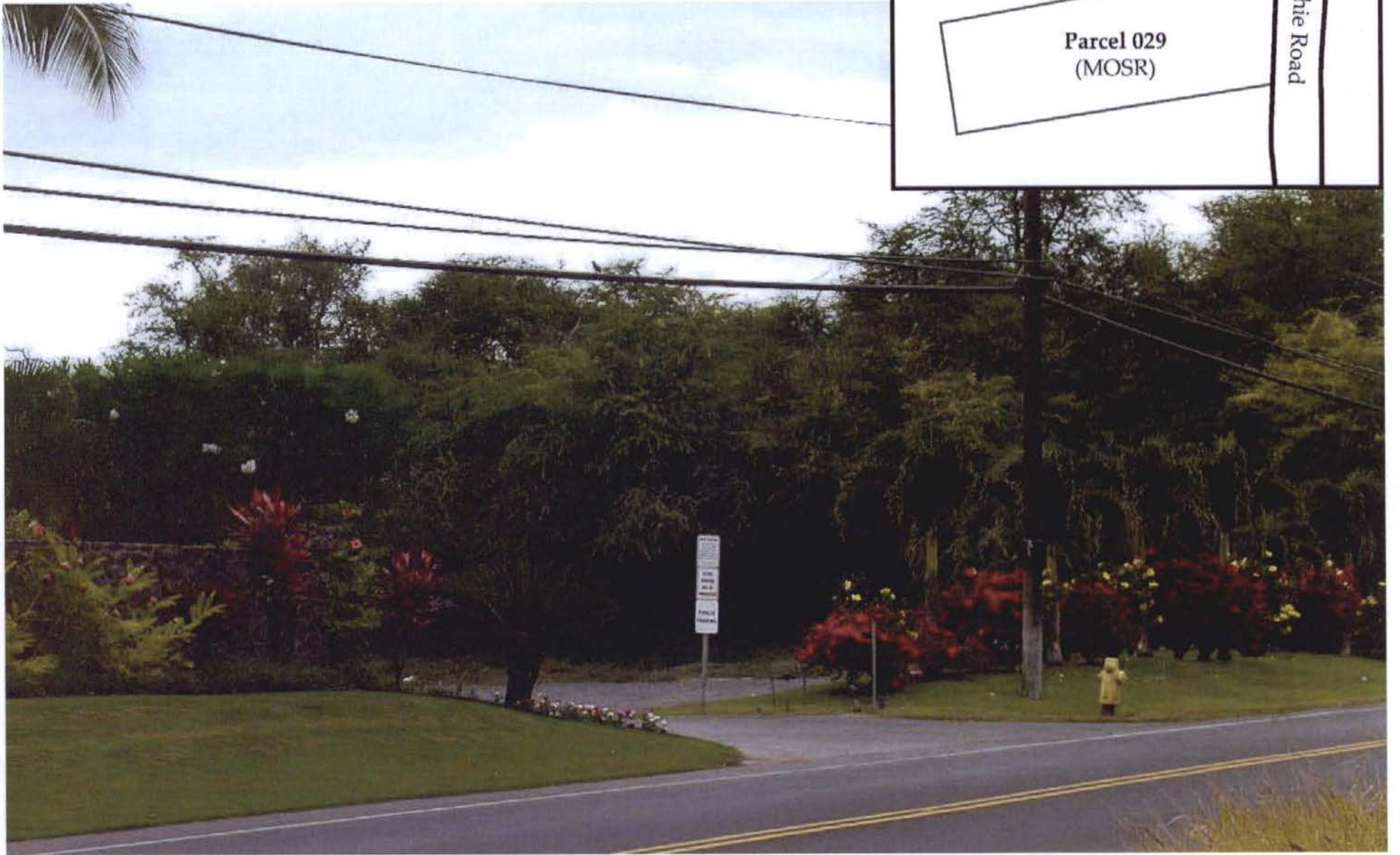
N

Parcel 149  
(Parking Lot)

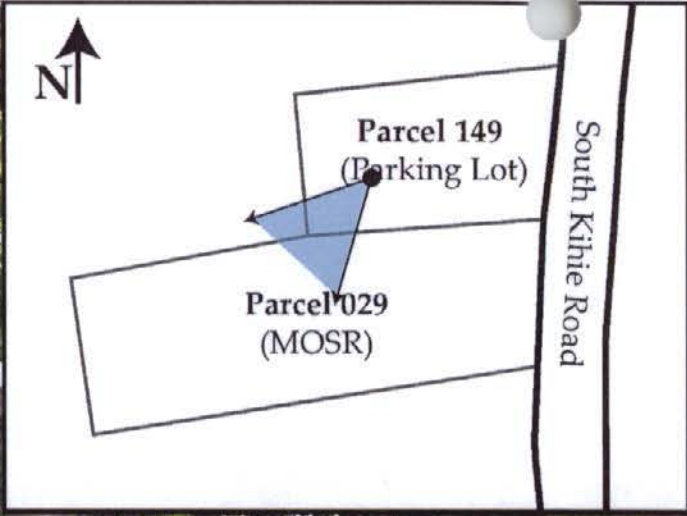
South Kihie Road

Parcel 029  
(MOSR)













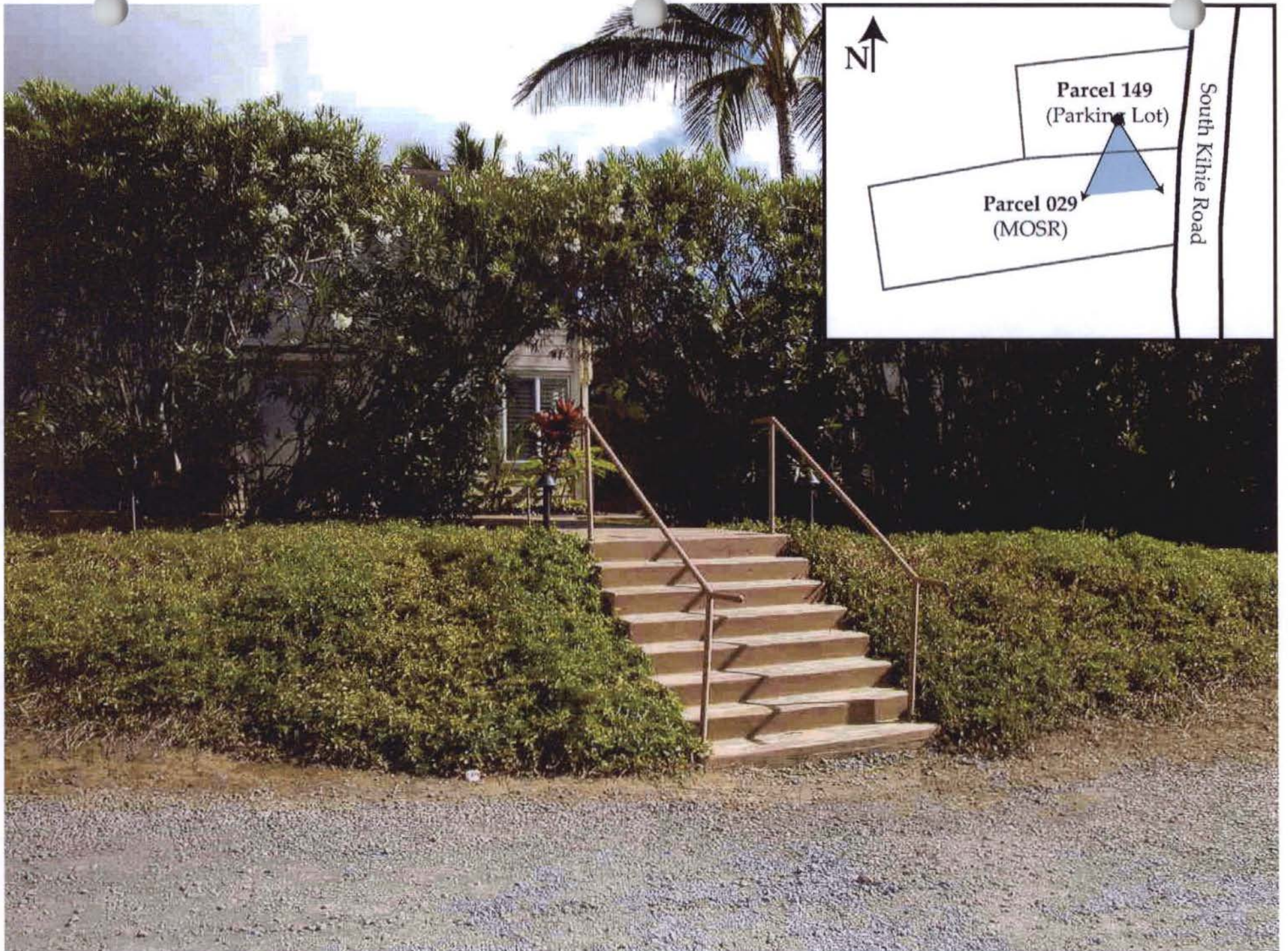
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Parcel 149  
(Parking Lot)

Parcel 029  
(MOSR)

South Kihie Road





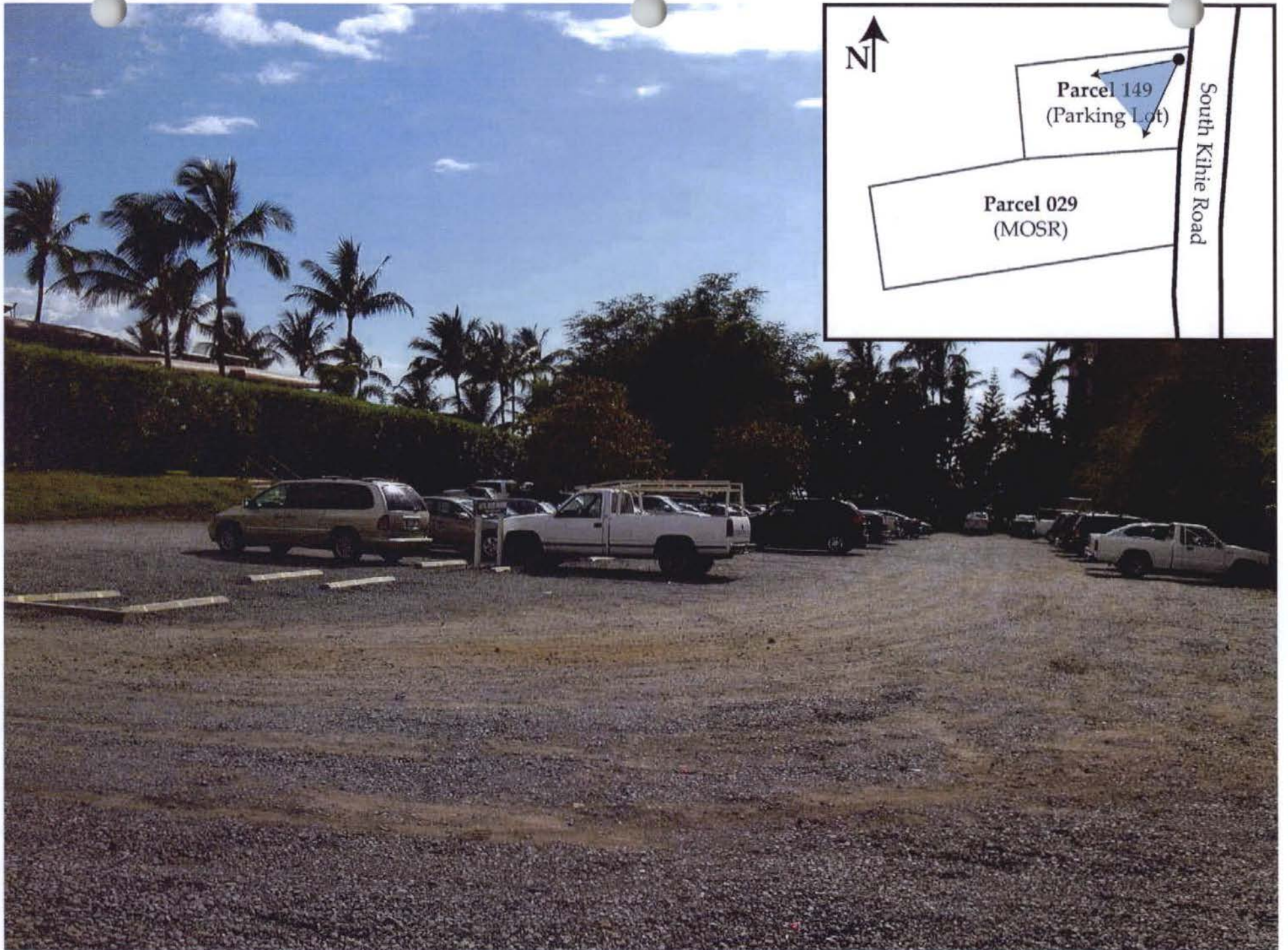
N

Parcel 149  
(Parking Lot)

Parcel 029  
(MOSR)

South Kihie Road





N ↑

Parcel 149  
(Parking Lot)

Parcel 029  
(MOSR)

South Kihie Road





# Community Plan Amendment

- Parcel 029: Existing Hotel & Restaurant
  - **From:** Single Family Residential (SF)
  - **To:** Hotel (H)



# Community Plan Amendment







# Chronology

- September 1968 - State Lease G-S4212 (65-year) for resort development on Parcel 029, consistent with 1969 Hotel Zoning (H-M) & 1968 Civic Development Plan (H).
- June 1973 – Hotel & Restaurant Constructed.
- 1985 – Kihei Makena Community Plan redesignates parcel 029 to Single Family (SF).
  - Existing Hale Hui Kai to the south was also redesignated



# Kihei Civic Development Plan Map, 1968



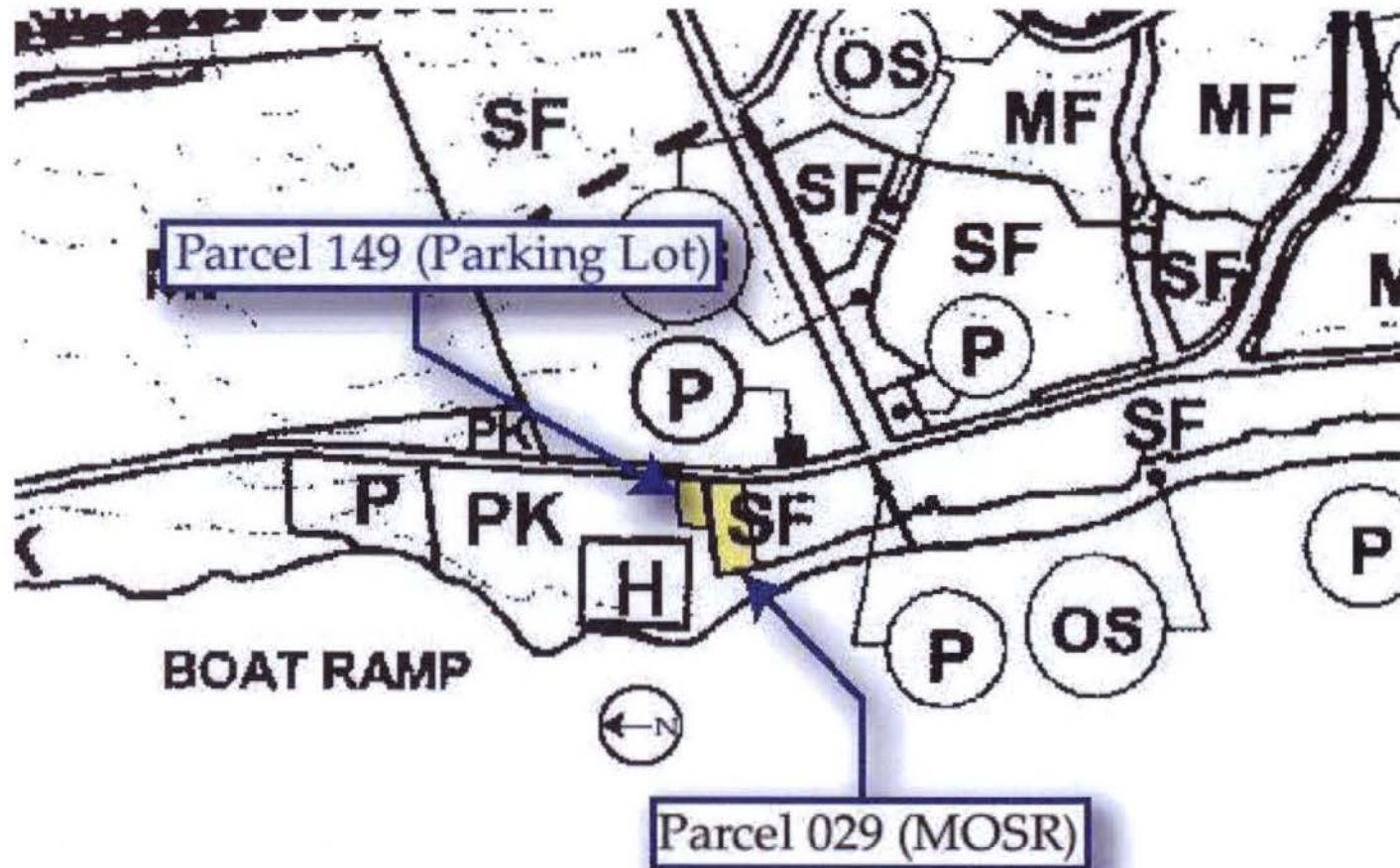
MOSR Designated Hotel

REGIONAL PLAN	
	RESIDENTIAL
	APARTMENT
	HOTEL
	BUSINESS
	RESORT COMMERCIAL
	INDUSTRIAL
	AGRICULTURE
	RURAL
	PUBLIC USE
	PARK
	DRAINAGE
	EXISTING STREET
	PROPOSED STREET
	PLANTING BUFFER
	BEACH RIGHT OF WAY
	GOLF COURSE
	OPEN ZONE





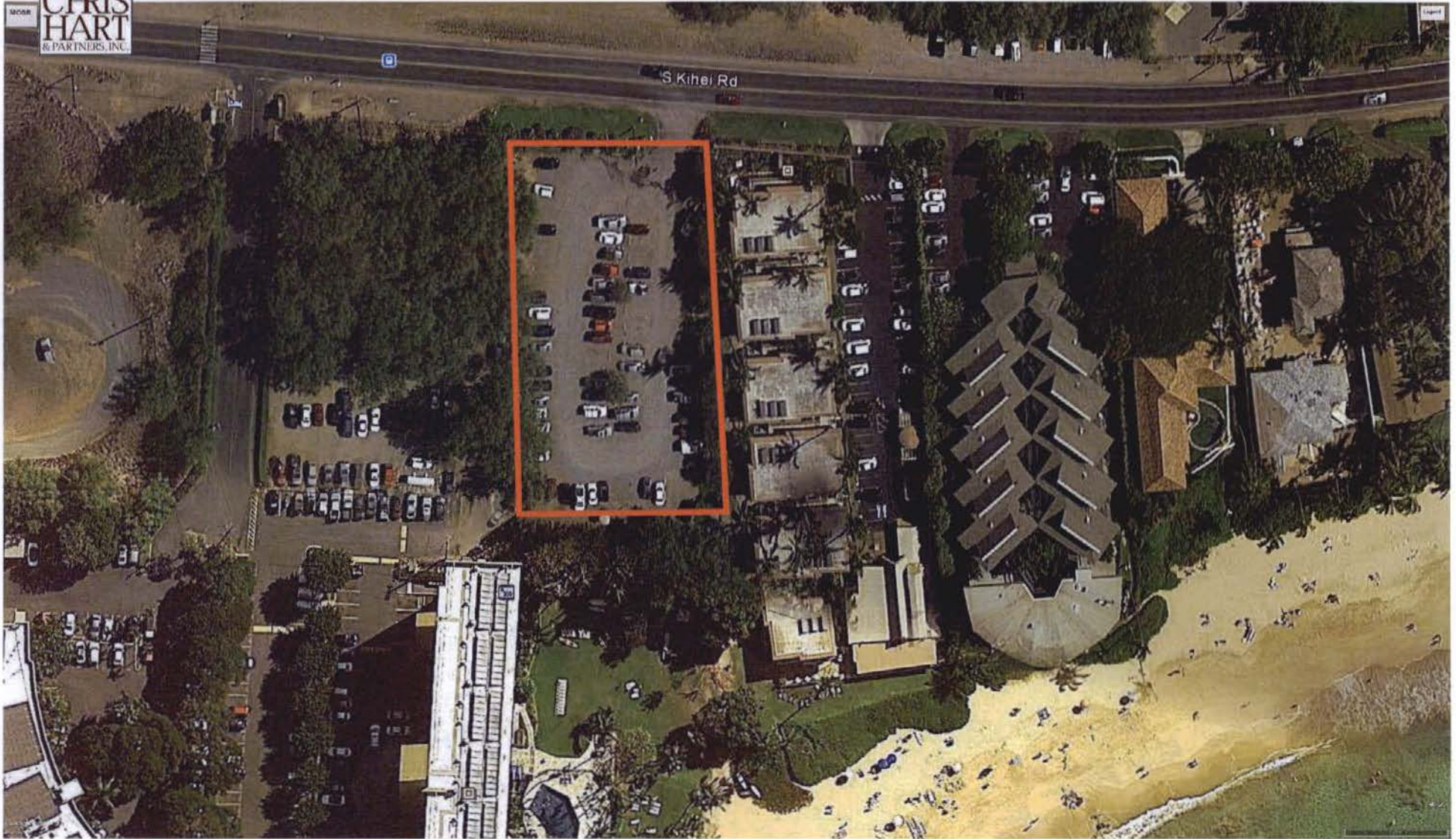
# Current Kihei-Makena Community Plan Adopted in 1998







# Conditional Permit







# Conditional Use Permit

- Conditional Use Permit to allow parking lot on portion of Parcel 149 for 51% public beach access use and 49% commercial use by MOSR, within the PK Park District
  - Compliant with MCC 19.36, allowing compact stalls





# Chronology

- December 2000 - The BLNR Revocable Permit No. 7235 for parking purposes on portion of parcel 001
- March 2004 - SMA Exemption issued for a proposed two-lot subdivision for creation of parcel 149 from parcel 001 for purpose of long term lease by Western
- May 2005 - Mr. Isaac Hall, Esq., files a Petition to Intervene on behalf of Ms. Dana Naone Hall and Mr. Leslie Kuloloio on a variance application that was intended to address structures within the side-yard setback.





# Chronology

- August 2005 - Deputy Corporation Counsel Cheryl Tipton, Esq., on behalf of the Planning Department, County of Maui, files a Petition to Intervene in the contested case proceeding on the Variance application.
- November 2005 - A Settlement Agreement is executed between Western Apartment Supply, Tri-Star Restaurant Group, LLC., Ms. Naone Hall, Mr. Kuloloio, and the County of Maui to resolve pending issues related to non-compliance with County requirements
  - Included the development of the parking lot compliant with MCC 19.36, which allows compact stalls





# Chronology

- Community meeting held September 9, 2017
  - Site visit at parking lot parcel
  - Presentation and discussion at St. Theresa Hall
  
- Conclusions
  - Community preferred parking lot not be paved, remain gravel
  - Additional beach access stalls for community





# Settlement Agreement Amendments

- Section 2.4.5
  - Clarification of “commercial use” on parcel 149 means offsite parking for commercial uses occurring on parcel 029.
- Section 2.5
  - Clarifying commercial offsite parking is intended commercial use.
  - Increase public parking stalls from 43 to 51.
    - Stalls are expressly available to the public 24 hours per day.





# Settlement Agreement Amendments

## • Additional Section 2.6

- In the event that the County provides substantial public beach access parking on the lot to the north of Parcel 149,
  - Allows the hotel and Sarento's restaurant to apply to the County, with the consent of parties Hall and Kuloloio, for up to 8 additional stalls for their use.

## • Section 3.1

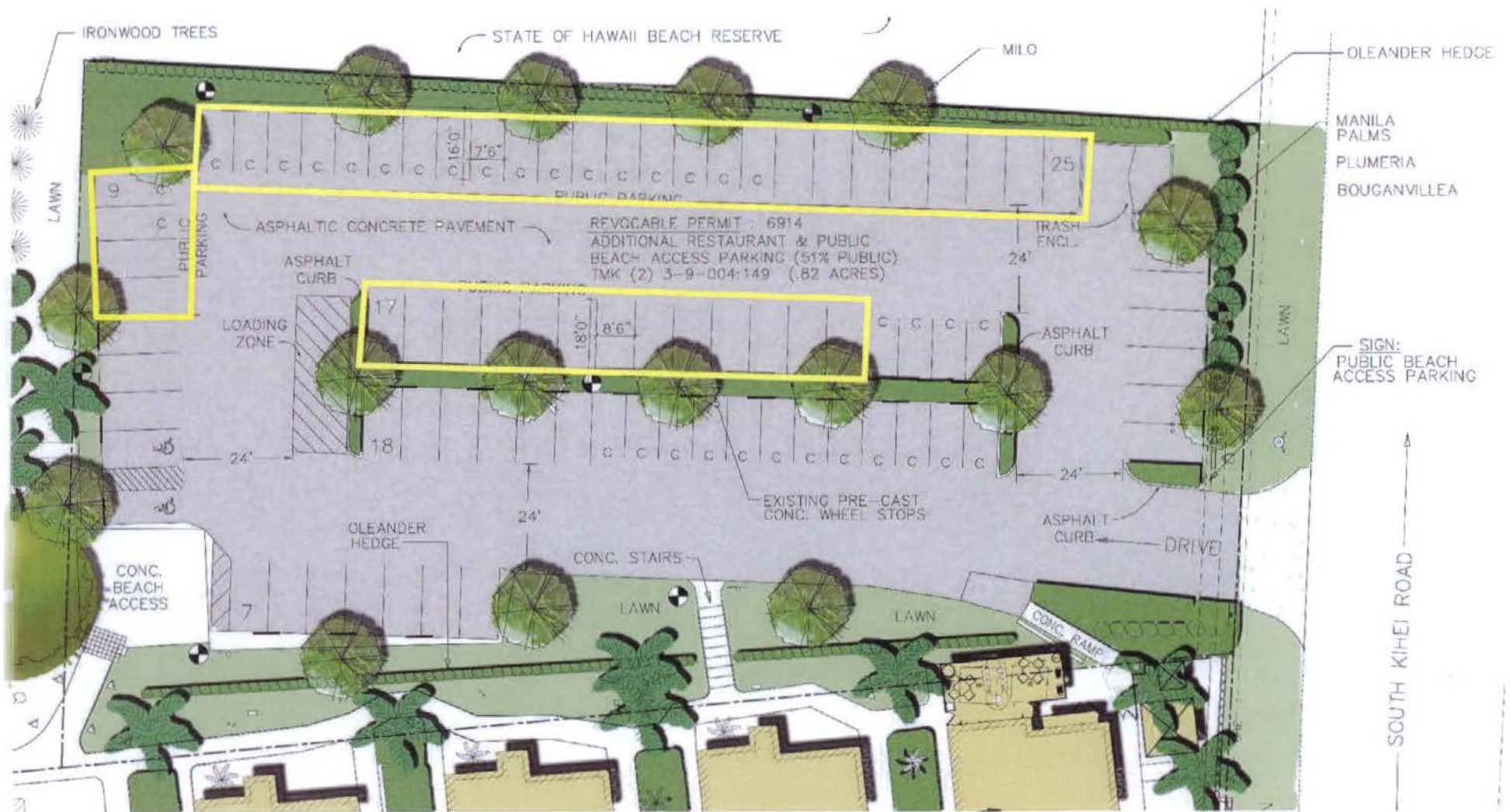
- Clarification of obligation of the hotel to maintain the Parcel 149 lot, provide clear signage indicating the public beach access parking.
  - The hotel is also responsible for enforcing the Settlement terms regarding parking to prevent use of the public parking stalls by hotel guests, invitees and employees or others. Enforcement may include towing of violating vehicles.





# Settlement Agreement Parking Lot Plan

## Compliant with MCC 19.36 (allowing compact stalls)

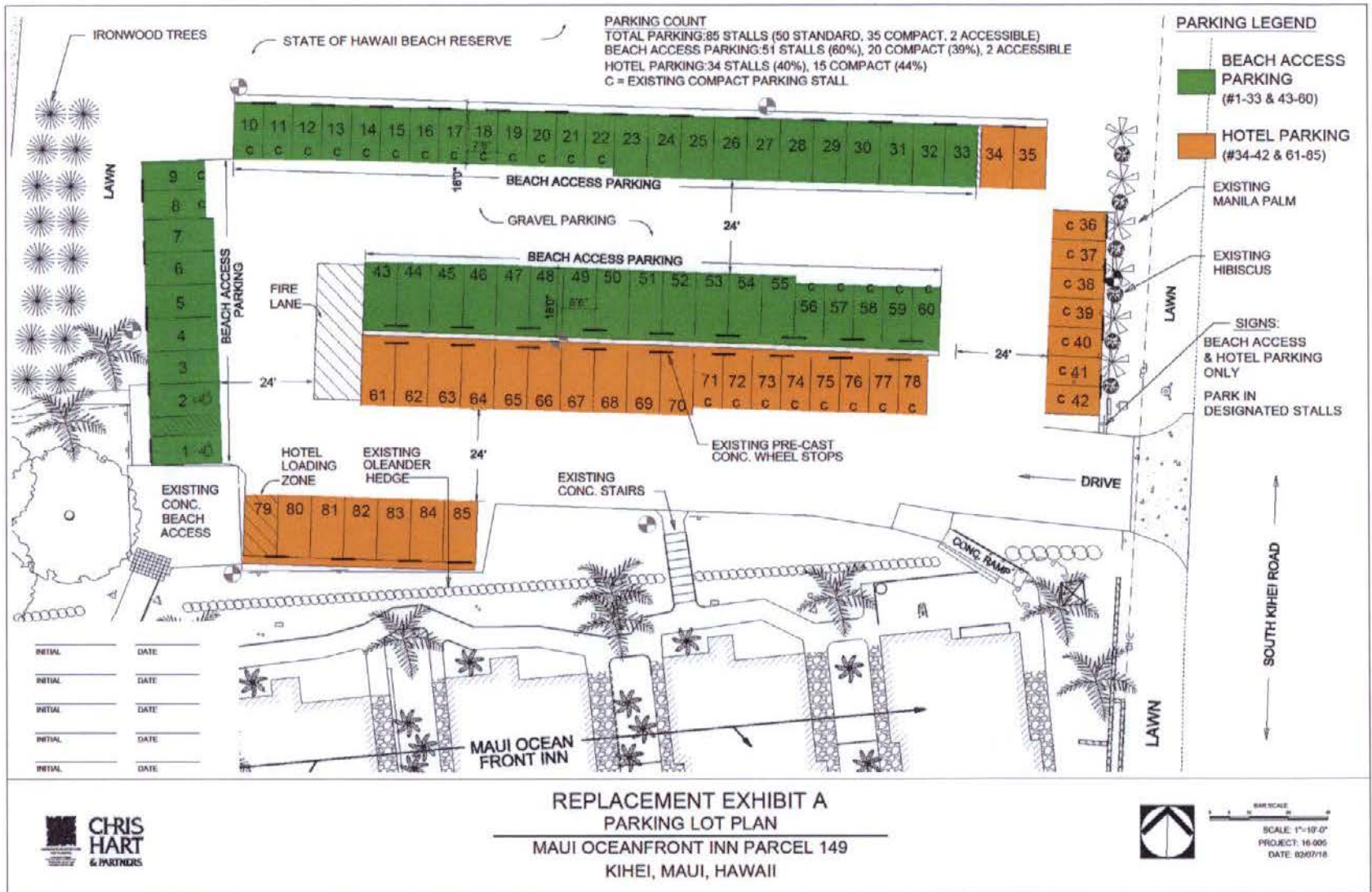


In this configuration (51%, 42 stalls) (49%, 40 stalls)





# Amended Settlement Agreement Parking Lot Plan Compliant with MCC 19.36 (allowing compact stalls)



In this configuration (60%, 51 stalls) (40%, 34 stalls)





# Public Access Signage



## Future Paved Parking:





# Relevant Points

- Commercial parking has been occurring along side beach access parking on parcel 149 for many years
- Public parking is not being removed by this conditional permit, it is being increased, and more clearly delineated
- There is no development proposed with this action





*Chris Hart & Partners, Inc.*  
*Landscape Architecture & Planning*