

MICHAEL P. VICTORINO
Mayor

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Director

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DEPARTMENT OF PLANNING
COUNTY OF MAUI
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WAILUKU, MAUI, HAWAII 96793



December 21, 2021

Honorable Michael P. Victorino
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Michael P Victorino 12-22-21
Mayor Date

For Transmittal to:

Honorable Tamara Paltin, Chair
and Members of the Planning and Sustainable Land Use Committee
200 S. High Street
Wailuku Maui, Hawaii 96793

Dear Chair Paltin and Members:

SUBJECT: STATUS OF ACTIVE CONDITIONAL PERMITS (PSLU-51)

The Planning Department (Department) has received your letter on this subject dated December 7, 2021. You requested an update on the status of items numbered 1 and 2 below. The Department hereby provides the status updates.

- 1. Conditional permit number 2006/0012 for Maui Oceanfront Inn and other entitlements, for which the permit expired on December 31, 2020.**

Response: The Conditional Permit (CP 2006/0012) involves a time extension request for the operation of an off-site parking lot within the County Park District at TMK (2) 3-9-004:149 by Ruby and Sons Hospitality, LLC, including 34 parking stalls for hotel and restaurant use. The Maui Planning Commission's (Commission) consideration of the time extension request for CP 2006/0012 has been combined with the Commission's consideration of the Special Management Area (SMA) Use Permit (SM1 2006/0017) and Shoreline Setback Variance (SSV 2006/0004) applications to maintain current hotel and restaurant uses on TMK (2) 3-9-004:029, to satisfy all permitting discrepancies pertaining to parcels 029 and 149 for previously unpermitted work, and to maintain the existing parking lot on parcel 149.

The Department transmitted updated applications for the SM1 and SSV to other public agencies for review and comment on September 17, September 23, and November 18, 2021. The agency review process is still ongoing. Additionally, the Department is waiting for an updated Certified Shoreline Survey and an updated traffic study from the Applicant. After the agency review process is completed and

all required information has been submitted to the Department, the application for the CP time extension will be scheduled for the Commission's consideration, along with the SM1 and SSV applications.

2. Executive order request for the acquisition of the adjacent State parcels of land to the Maui Oceanfront Inn, identified as TMKs: (2) 3-9-004:001 and (2) 3-9-004:149, for the management and maintenance of beach access parking.

Response: Ruby & Sons Hospitality, LLC leases a gravel lot on State land for use by the adjacent Days Inn by Wyndham Maui Oceanfront. The Department is aware that Maui County residents have expressed concerns about previous attempts to block public beach access in the area and a chronic lack of parking along South Kihei Road for residents. The Department is also aware of an e-mail from the Mayor's office in early November 2021, explaining that Mayor Michael Victorino has issued a formal written request to Suzanne Case, Chair of the Hawaii Department of Land and Natural Resources, for the County to acquire lands near Keawakapu Beach in Kihei for public parking and beach access. The Mayor's proposed acquisition would be through an Executive Order for the management and maintenance of beach access parking while maintaining current obligations for the parcels. The Department is not directly involved in this proposed acquisition and therefore is unable to provide any further information.

Thank you for your cooperation. If additional clarification is required, please contact Staff Planner Wesley Bradshaw at wesley.bradshaw@mauicounty.gov or at (808) 463-3867.

Sincerely,



MICHELE MCLEAN, AICP
Planning Director

xc: Mayor Michael P. Victorino
Clayton I. Yoshida, Planning Program Administrator (PDF)
Jacky Takakura, Acting Planning Program Administrator (PDF)
Wesley Bradshaw, Staff Planner (PDF)
Project File

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