

DEPARTMENT OF PLANNING  
COUNTY OF MAUI  
One Main Plaza  
2200 Main Street, Suite 315  
Wailuku, Hawaii 96793  
Telephone: (808) 270-7735  
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**BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII**

In the Matter of the Petition of:	)	Docket No. A15-798
	)	
WAIKAPU PROPERTIES, LLC; MTP	)	MOTION TO AMEND CONDITIONS 1, 4, AND
LAND PARTNERS, LLC; WILLIAM S.	)	8(b) OF DECISION AND ORDER FILED ON
FILIOS, Trustee of the William	)	FEBRUARY 26, 2018;
S. Filios Separate Property	)	
Trust dated APRIL 3, 2000; and	)	CERTIFICATE OF SERVICE
WAIKALE 905 PARTNERS, LLC,	)	
	)	
To Amend the Agricultural Land Use District	)	
Boundaries into the Rural Land Use District	)	
for certain lands sited at Waikapu, District	)	
of Wailuku, Island and County of Maui,	)	
State of Hawaii, consisting of 92.394 acres	)	
and 57.454 acres, bearing Tax Map Key	)	
No. (2) 3-6-004:003 (por) and to Amend the	)	
Agricultural Land Use District Boundaries	)	
into the Urban Land Use District for certain	)	
lands situate at Waikapu, District of	)	
Wailuku, Island and County of Maui,	)	
State of Hawaii, consisting of 236.326 acres,	)	
53.775 acres, and 45.054 acres, bearing	)	
Tax Map Key No. (2) 3-6-002:003 (por),	)	
(2) 3-6-004:006 and (2) 3-6-005:007 (por).	)	

**DEPARTMENT OF PLANNING’S RESPONSE TO PETITIONER’S MOTION TO AMEND  
CONDITIONS 1, 4, AND 8(b) OF DECISION AND ORDER FILED ON FEBRUARY 26, 2018  
FOR WAIKAPU PROPERTIES, LLC**

The COUNTY OF MAUI DEPARTMENT OF PLANNING (Department) has no objection to  
Petitioners WAIKAPU PROPERTIES, LLC; MTP LAND PARTNERS, LLC; WILLIAM S. FILIOS, Trustee


of the William S. Filios Separate Property Trust dated APRIL 3, 2000; AND WAILAE 905 PARTNERS, LLC (Petitioners) motion to amend conditions 1, 4, and 8(b) of the Decision and Order dated February 26, 2018 (D&O).

As stated in the Motion to Amend, the amendments will allow Petitioners to increase the size of the school site made the subject of the Educational Contribution Agreement for WAIKAPU COUNTRY TOWN, and to increase the number of Residential Workforce Housing Units to be provided in the Project in lieu of providing direct funding and/or participating in the construction of: (1) traffic improvements; and (2) private or public wastewater facilities.

The PUBLIC PRIVATE PARTNERSHIP AGREEMENT (PPA) made between the Petitioners and the County of Maui on the 28<sup>th</sup> day of April 2022 and noted as Exhibit 1 in the MOTION TO AMEND outlines in detail commitments by both Petitioners and the County of Maui. The Department understands that the covenants shall not become effective under the conditions of the Change of Zoning are also amended to reflect the terms of the PPA. Nevertheless, the Department, after reviewing the MOTION TO AMEND, restates its support for the MOTION.

Thank you for the opportunity to comment on this Motion. Should you have any questions about the comments in this letter, please contact the Department by email at [planning@mauicounty.gov](mailto:planning@mauicounty.gov) or by phone at (808) 270-8205 referencing Docket No. A15-798.

DATED: Wailuku, Hawaii, August 12, 2022.

  
MICHELE MCLEAN, AICP  
Planning Director  
Department of Planning

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