

PURSUANT TO CHAPTER 92, HAWAII REVISED STATUTES AS AMENDED, NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE MAUI PLANNING COMMISSION

AGENDA

DATE: March 24, 2009 (Tuesday)
TIME: 8:30 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Jonathan Starr (Chair), John Guard IV (Vice-Chair), William Iaconetti, Wayne Hedani, Bruce U'u, Kent Hiranaga, Ward Mardfin, Donna Domingo, Lori Sablas

Public testimony will be taken at the start of the meeting on any agenda item in order to accommodate those individuals who cannot be present at the meeting when the agenda item(s) is (are) considered by the Maui Planning Commission. Public testimony will also be taken when the agenda item is taken up by the Maui Planning Commission. Maximum time limits on individual testimony may be established by the Planning Commission. A person testifying at this time will not be allowed to testify again when the agenda item comes up before the Commission, unless new or additional information will be offered.

Testifiers: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, and Conditional Permit require the approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office of Council Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawaii 96793.

A. CALL TO ORDER

B. INTRODUCTION OF NEW MEMBER - LORI SABLAS

C. RESOLUTION THANKING OUTGOING MEMBER - WILLIAM IACONETTI

D. UNFINISHED BUSINESS

1. A & B WAILEA LLC requesting a Step 2 Planned Development Approval for the proposed MF-10 Multi-Family Use Project at Wailea Resort consisting of nine (9) improved single family residential lots, 36-multi-family units housed in four (4) buildings, commercial center of approximately 64,000 square feet, and related site improvements located northeast of Wailea Ike Drive and Wailea Ike Place, TMK: 2-1-008: 121, Wailea, Island of Maui. (PD2 2008/0001) (P. Fasi) (Previously reviewed at the November 25, 2008 and January 27, 2009 meetings.)

The Commission may take action this request.

2. A & B WAILEA LLC requesting a Special Management Area Use Permit for the proposed MF-10 Multi-Family Use Project at Wailea Resort consisting of nine (9) improved single family residential lots, 36-multi-family units housed in four (4) buildings, commercial center of approximately 64,000 square feet, and related site improvements located northeast of Wailea Ike Drive and Wailea Ike Place, TMK: 2-1-008: 121, Wailea, Island of Maui. (SM1 2008/0007) (P. Fasi) (Public Hearing conducted on November 25, 2008 and further reviewed at the January 27, 2009 meeting.)

The Commission may take action on this request.

3. PACIFIC WAREHOUSE, INC. requesting a Special Management Area Use Permit in order to expand and renovate the exterior of the existing Kihei Foodland Super Market building and related improvements at 1881 South Kihei Road, TMK: 3-9-003: 012, Kihei, Island of Maui. (SM1 2008/0014) (P. Fasi) (Public hearing conducted on February 10, 2009)

The Commission may take action on this request.

E. COMMUNICATIONS

1. STATE LAND USE COMMISSION transmitting the Decision and Order filed on March 9, 2009 remanding the State Special Use Permit application by the DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, COUNTY OF MAUI for an approximately 14.615 -acre portion of the existing 29.05-acre Hana Landfill and an approximately 5.39-acre encroachment area situated within the State Land Use Agricultural District at TMK: 1-3-06: por. of 7 and 12, Hana, Island of Maui. (Docket No. SP08-402) (P. Fasi)

The State Land Use Commission has remanded the Application to the Maui Planning Commission for further proceedings pursuant to subsection 15-15-96(a), Hawaii Administrative Rules (HAR), to specifically review proposed Condition Numbers 7 and 19 and to confirm whether the modifications requested by the Applicant to said conditions reflect the intent of the Planning Commission with respect to the Application and are supported by the record as established by the Hana Advisory Committee.

The Commission may take action on the request by the Land Use Commission concerning proposed Condition Numbers 7 and 19.

2. JOHN S. RAPACZ, attorney on behalf of SVO PACIFIC (SVOP) presenting its annual report by letter dated February 18, 2009 on the disbursements of funds to Intervenor WEST MAUI PRESERVATION ASSOCIATION and to the West Maui Community Benefit Fund in the Lot 3 Settlement Agreement pursuant to Condition No. 44 of the Special Management Area Use Permit for the Kaanapali Ocean Resort Villas -Lot 3 project at TMK: 4-4-014: 005 (por.), Kaanapali, Island of Maui. (SM1 2006/0006) (P. Fasi)

The annual report is for information purposes.

3. DEPARTMENT OF PLANNING, LONG RANGE DIVISION transmitting a conceptual schedule for the Maui Island Plan review for Planning Commission comment.

The Commission may provide comments on the schedule. The confirmation of the conceptual schedule for the Maui Island Plan review is scheduled for the April 14, 2009 meeting.

- F. ACTION MINUTES OF THE MARCH 10, 2009 AND REGULAR MINUTES OF THE JANUARY 27, 2009 MEETING

- G. DIRECTOR'S REPORT

1. Planning Commission Projects/Issues
2. Discussion of Future Maui Planning Commission Agendas
 - a. April 14, 2009 agenda
3. EA/EIS Report
4. SMA Minor Permit Report
5. SMA Exemptions Report

- H. NEXT REGULAR MEETING DATE: April 14 , 2009

- I. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

ANY PETITION TO INTERVENE AS A FORMAL PARTY IN THE PROCEEDINGS BEFORE THE MAUI PLANNING COMMISSION MUST BE FILED WITH THE COMMISSION AND SERVED UPON THE APPLICANT NO LESS THAN TEN (10) DAYS BEFORE THE FIRST PUBLIC HEARING DATE. (Note: The calculation of time for deadlines ten days or less excludes weekends and State recognized holidays.) THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE MAUI PLANNING COMMISSION RULES OF PRACTICE AND PROCEDURE. WRITTEN TESTIMONY SHOULD BE RECEIVED AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING TO INSURE DISTRIBUTION TO THE BOARD. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

DOCUMENTS ARE ON FILE WITH THE PLANNING DEPARTMENT.

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THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE MAUI PLANNING DEPARTMENT AT 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1- 800-272-0125 (Lanai) OR NOTIFY THE MAUI PLANNING DEPARTMENT IN WRITING AT 250 S HIGH STREET, WAILUKU, MAUI, HAWAII 96793 OR FAX NUMBER 270-7634; AT LEAST TWO (2) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

ANY FAXES SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 5:00 P.M. ON THE SECOND WORKING DAY BEFORE THE MEETING TO INSURE THAT IT IS CIRCULATED TO THE BOARD.

PLEASE NOTE: **If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at least one day prior to the meeting date. Thank you for your cooperation.** (S:\all\carolyn\032409.age)