

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

AGENDA

DATE: JUNE 23, 2009 (Tuesday)  
TIME: 9:00 A.M.  
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui, Hawaii 96793

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

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. PUBLIC HEARINGS (Action to be taken after each public hearing.)

1. MR. MICHAEL WHITE, General Manager of the KAA NAPALI BEACH HOTEL requesting a 3-year time extension amendment to the Special Management Area Use Permit and Shoreline Setback Variance to complete construction of the restaurant/canoe hale project at TMK: 4-4-008: 003, Kaanapali, Island of Maui. (SM1 90/0040) (A. Cua)

Recheduled and renoticed to the July 14, 2009 meeting due to notification deficiencies by the applicant.

2. KAA NAPALI RESORTS AOA requesting a Special Management Area Use Permit for Kaanapali Alii Resort Improvements consisting of a) improvements to existing drainage facilities; b) addition of a 1,200 sf swimming pool and a 155 sq. ft. keiki pool as well as a new pump station; and c) the addition to the 2nd story to the administration building to create a fitness complex at 50 Nohea Kai Drive, TMK: 4-4-008: 022, Kaanapali, Lahaina, Island of Maui. (SM1 2008/0012) (T. Abbott)
  - a. Public Hearing
  - b. Action

3. MR. JEFFREY S. HUNT, AICP, Planning Director transmitting a Bill for an Ordinance repealing Chapter 19.09, Maui County Code, R-0 Zero Lot Line Residential District and amending Title 19.08, Maui County Code, relating to Residential Districts and amending Title 19.04 General Provisions and Definitions. ( J. Alueta)
  - a. Public Hearing
  - b. Action
  
4. MR. JEFFREY S. HUNT, AICP, Planning Director transmitting a Bill for an Ordinance to Amend Chapter 19.62 of the Maui County Code to adopt Special Flood Hazard Area regulations in accordance with the National Flood Insurance Program. (F. Cerizo)
  - a. Public Hearing
  - b. Action

C. UNFINISHED BUSINESS

1. MR. JEFFREY S. HUNT, AICP, Planning Director transmitting Council Resolution No. 09-21 to the Lanai, Maui, and Molokai Planning Commissions containing a Draft Bill to Amend Section 19.14.020 of the Maui County Code relating to eliminating the stacking of Residential and Apartment uses in the Hotel District. (RFC 2009/0028) (J. Hunt for J. Alueta) (Public hearing conducted on May 26, 2009.)

The Commission may act to make a recommendation to the County Council on this Resolution.

D. ACTION MINUTES OF THE JUNE 9, 2009 MEETING

E. DIRECTOR'S REPORT

1. Planning Director notifying the Maui Planning Commission pursuant to Section 12-202-17(e) of the Maui Planning Commission's SMA Rules of his intent to issue time extensions on the following requests:
  - a. MR. MILTON M. ARAKAWA, AICP, Director, DEPARTMENT OF PUBLIC WORKS requesting a two-year time extension on the Special Management Area Use Permit and the Shoreline Setback Variance for the Lahaina Watershed Flood Diversion System project at TMK: 4-7-001: 002 (portion) and 018 (portion) and 4-7-002: 004 (portion), Lahaina, Island of Maui. (SM1 2003/0005) (SSV 2003/0001) (J. Buika)

The Commission shall acknowledge receipt of the request. The Commission may review the time extension request or waive its review.

- b. MR. MIKE DEZAHD requesting a 2-year time extension on period to initiate construction on the Special Management Area Use Permit for the Kihei Hanalei Condominium project, a 4-unit condo project at TMK: 3-9-005: 019, Kihei, Island of Maui. (SM1 2004/0037) (G. Flammer)

The Commission shall acknowledge receipt of the request. The Commission may review the time extension request or waive its review.

2. Planning Commission Projects/Issues
  3. Discussion of Future Maui Planning Commission Agendas
    - a. July 14, 2009 meeting agenda items
  4. EA/EIS Report
  5. SMA Minor Permit Report
  6. SMA Exemptions Report
  7. Special Maui Planning Commission Meeting on the Maui Island Plan Review - June 30, 2009, 1:30 p.m., Planning Conference Room, Wailuku, Island of Maui
  8. Special Maui Planning Commission Meeting on the Maui Island Plan Review - July 7, 2009, 1:30 p.m., Kihei Community Center, Kihei, Island of Maui
- F. NEXT REGULAR MEETING DATE: July 14, 2009, 9:00 a.m.
- G. 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. The deadline for filing a timely Petition to Intervene was June 8, 2009.

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.

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\062309.age)