

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

2009 JUL -6 AM 8:16

AMENDED AGENDA

OFFICE OF THE  
COUNTY CLERK

**NOTE:** The Maui Planning Commission agenda filed on July 2, 2009 for a meeting on July 14, 2009 has been canceled. This new agenda filed on July 6, 2009 replaces the canceled agenda.

**DATE:** JULY 14, 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)

- a. Public Hearing
- b. Action

2. MR. HUNTON CONRAD requesting a Special Management Area Use Permit in order to construct a new single family residence and a 2-car detached garage and pool pavilion structure at 313 Paani Place, TMK: 3-8-002: 064, Spreckelsville, Island of Maui. (SM1 2007/0014) (D. Dias)

- a. Public Hearing
  - b. Action
3. MR. PETER ZIEBELMAN requesting a Special Management Area Use Permit for the Ziebelman Renovation, in order to renovate the first floor and construct a dormer and a 2-bedroom, 2-bath living area on the second floor at Puamana, TMK: 4-6-029:011-0000, Lahaina, Island of Maui. (SM1 2008/0016) (L. Callentine)
- a. Public Hearing
  - b. Action
4. MR. BRIAN HECKTMAN of GREYMARK WAIALE ROAD ASSOCIATES, LLC requesting a Change in Zoning from the R-3 Residential District to the M-1 Light Industrial District for a 30,166 sq. ft. property situated at 485 Waiale Road, TMK: 3-4-003: 009, Wailuku, Island of Maui. (CIZ 2006/0014) (J. Dack)
- a. Public Hearing
  - b. Action
5. SQUARE FEET MANAGEMENT, LLC requesting a Special Management Area Use Permit for the Wailea Professional & Storage Center and related improvements on a 4.165 acre parcel located on Kalai Waa Street, TMK: 2-1-008: 127 (portion), Wailea, Island of Maui. (SM1 2008/0017) (D. Dias)
- a. Public Hearing
  - b. Action

C. COMMUNICATIONS

1. SQUARE FEET MANAGEMENT, LLC requesting a Step 2 Planned Development Approval for the Wailea Professional & Storage Center and related improvements on a 4.165 acre parcel located on Kalai Waa Street, TMK: 2-1-008: 127 (portion), Wailea, Island of Maui. (PD2 2008/0003) (D. Dias)

The Commission may take action on this request.

D. NEW BUSINESS

1. MR. MIKE YAMAMOTO of MCDONALD'S RESTAURANTS OF HAWAII, INC. Requesting comments on the Draft Environmental Assessment in support of the Special Management Area Use Permit application for the proposed Lahaina McDonald's Restaurant Reconstruction for the demolition and reconstruction of the existing Lahaina McDonald's Restaurant, addition of a double drive thru lane, and landscaping, parking, and related utilities improvements at 885 Wainee Street, TMK: 4-5-001:019, Lahaina, Island of Maui. (EA 2009/0009) (SM1 2009/0004) (K. Wollenhaupt)

The accepting authority for the Environmental Assessment is the Maui Planning Commission.

The EA trigger is the location of the subject property in the Lahaina National Historic Landmark District.

The project needs a Special Management Area Use Permit. The public hearing on the SMA application will be conducted by the Maui Planning Commission after the Chapter 343 process has been completed.

The Commission may take action to be the accepting authority of the Environmental Assessment and provide its comments on the Draft Environmental Assessment.

2. HALE HUI KAI AOAO requesting comments on the Draft Environmental Assessment prepared in support of the Community Plan Amendment from Single Family to Hotel to conform to the existing hotel use at 2994 South Kihei Road, TMK: 3-9-004: 025, Kihei, Island of Maui. (EA 2008/0009) (J. Dack)

The EA trigger is the Community Plan Amendment.

The project needs a Community Plan Amendment. The public hearing on this application will be conducted by the Maui Planning Commission after the Chapter 343 process has been completed.

The Commission may take action to be the accepting authority of the Environmental Assessment and provide its comments on the Draft Environmental Assessment.

#### E. UNFINISHED BUSINESS

1. KAA NAPALI RESORTS AOAO 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) (Public hearing was conducted on June 23, 2009.)

The Commission may take action on this request.

2. 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 a time extension on the following request:

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) (Deferred at the June 23, 2009 meeting).

The Commission may take action to review the time extension request or waive its review.

F. APPROVAL OF MINUTES

1. Portion of the June 23, 2009 meeting relating to the proposed amendments to Chapter 19.62 of the Maui County Code, Flood Hazard District Ordinance. (Due to time sensitivity to transmit to County Council and approve the bill.)
2. Action Minutes of the June 23, 2009 meeting.
3. Regular Minutes of the April 14, 2009 meeting.
4. Regular Minutes of the April 28, 2009 meeting.

G. 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:

ELLEAIR HAWAII, INC. requesting a two-year time extension on the Special Management Area Use Permit to complete construction of the Maui Palms Hotel Redevelopment Project at TMK: 3-7-003: 007 and 009, Kahului, Island of Maui. (SM1 2001/0012) (J. Buika)

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

2. Designation of the Hana Advisory Committee to the Maui Planning Commission to provide comments on the following proposed legislation:

MR. JEFFREY S. HUNT, AICP, Planning Director transmitting Council Resolution No. 09-53 referring to the Lanai, Maui, and Molokai Planning Commissions and the Hana Advisory Committee a Draft Bill Pertaining to Rural Districts. The bill creates RU-2, RU-5, and RU-10 districts. (RFC 2009/00 ) (J. Alueta)

The Commission may act to ask the Hana Advisory Committee to provide comments on the proposed bill.

2. Planning Commission Projects/Issues
3. Discussion of Future Maui Planning Commission Agendas
  - a. July 28, 2009 meeting agenda items
4. EA/EIS Report

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5. SMA Minor Permit Report
6. SMA Exemptions Report
7. Special Maui Planning Commission Meeting on the Maui Island Plan Review -  
July 21, 2009, 9:00 a.m., Planning Conference Room, Wailuku, Island of Maui

H. NEXT REGULAR MEETING DATE: July 28, 2009, 9:00 a.m.

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. 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\071409.age)**