

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

AGENDA

DATE: SEPTEMBER 22, 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, 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. RESOLUTION THANKING FORMER COMMISSIONER JOHN GUARD IV
- C. PUBLIC HEARINGS (Action to be taken after each public hearing.)
  - 1. MR. JEFFREY S. HUNT, AICP, Planning Director initiating the following land use changes on behalf of the Police Department for the new proposed Kihei Police Station on approximately 10.238 acres at TMKs: 2-2-024: portions of 069 and 070, Kihei, Island of Maui: (J. Dack)
    - a. Community Plan Amendment from Agriculture to Public/Quasi Public (CPA 2009/0002)
    - b. Land Use District Boundary Reclassification from the State Agricultural District to the State Urban District (DBA 2009/0001)
    - c. Change in Zoning from County Agricultural District to P-1 Public/Quasi-Public District.
      - a. Public Hearing
      - b. Action

2. MR. WADE FISCHER, Vice-President of Resort Development, PYRAMID PROJECT MANAGEMENT LLC requesting a Special Management Area Use Permit for the proposed Renovations and Guestroom Expansion at the Grand Wailea Resort and Spa at 3850 Wailea Alanui Drive, TMK: 2-1-008: 109, Wailea, Island of Maui. Improvements include renovations to hotel public areas, cultural garden, and landscape improvements, expansion of pool activity areas, and 310 additional guest rooms housed in eight (8) extended and detached buildings throughout the hotel property. (PD1 2009/0002) (PD2 2009/0001) (SM1 2009/0006) (A. Cua)
  - a. Public Hearing
  - b. Action
  
- D. Planning Director's Discussion on How Many Permitted Bed and Breakfast Operations are Too Many Within a 500 ft. Radius (J. Hunt)
  
- E. PUBLIC HEARING (Action to be taken after public hearing.)
  1. MR. ANDREW HUEY requesting a Bed and Breakfast Permit for the Maui Meadows Bed and Breakfast, a 4-bedroom bed and breakfast at 3201 Akala Drive in the RU-0.5 Rural District, TMK: 2-1-015: 033, Maui Meadows, Kihei, Island of Maui. (BBKM T2009/0003) A public hearing is required because the subject property is located within 500 ft. of a previously approved bed and breakfast operation. (J. Prutch)
    - a. Public Hearing
    - b. Action
  
- F. COMMUNICATIONS
  1. MR. WADE FISCHER, Vice-President of Resort Development, PYRAMID PROJECT MANAGEMENT LLC requesting a Step 1 Planned Development Approval and a Step 2 Planned Development Approval for the proposed Renovations and Guestroom Expansion at the Grand Wailea Resort and Spa at 3850 Wailea Alanui Drive, TMK: 2-1-008: 109, Wailea, Island of Maui. Improvements include renovations to hotel public areas, cultural garden, and landscape improvements, expansion of pool activity areas, and 310 additional guest rooms housed in eight (8) extended and detached buildings throughout the hotel property. (PD1 2009/0002)(PD2 2009/0001) (A. Cua)

The Commission may take action on this request.
  2. MR. ISAAC HALL, attorney for SHAWN HORWITZ, TERRIZAGER, CRAIG ZAGER, TIM CONNER, KENNETH HAWKINS, ROBERT LEE, GILA WILLNER, RANDY BOWEN, JOHN SALINAS, JAMES L. PAYNE, JOSE FIGUEROA, JEFFREY MANDELBAUM, NINA S. YOSHPE, ANDRE MAGNINOT, R. TYLER WHANN, DEBORAH CROSS, and MURRAY JAFINE submitting a Petition to Intervene dated September 8, 2009 on the applications by MR. WADE FISCHER, Vice-President of Resort Development, PYRAMID PROJECT MANAGEMENT LLC requesting a Step 1 Planned Development Approval, a Step 2 Planned Development Approval, and a Special Management Area Use Permit for the proposed Renovations and

Guestroom Expansion at the Grand Wailea Resort and Spa at 3850 Wailea Alanui Drive, TMK: 2-1-008: 109, Wailea, Island of Maui. Improvements include renovations to hotel public areas, cultural garden, and landscape improvements, expansion of pool activity areas, and 310 additional guest rooms housed in eight (8) extended and detached buildings throughout the hotel property. (PD1 2009/0002)(PD2 2009/0001) (SM1 2009/0006) (A. Cua)

The Commission may take action on this request. If the intervention request is granted, the Commission may also appoint a Mediator and a Hearings Officer.

3. MR. ISAAC HALL, attorney for THE PROTECT WAILEA BEACH COMMITTEE, SCHUYLER W. LININGER, JR., MITCHELL VAN KLEY, JAMES L. PAYNE, and LEE MINSHULL submitting a Petition to Intervene dated September 8, 2009 on the applications by MR. WADE FISCHER, Vice-President of Resort Development, PYRAMID PROJECT MANAGEMENT LLC requesting a Step 1 Planned Development Approval, a Step 2 Planned Development Approval, and a Special Management Area Use Permit for the proposed Renovations and Guestroom Expansion at the Grand Wailea Resort and Spa at 3850 Wailea Alanui Drive, TMK: 2-1-008: 109, Wailea, Island of Maui. Improvements include renovations to hotel public areas, cultural garden, and landscape improvements, expansion of pool activity areas, and 310 additional guest rooms housed in eight (8) extended and detached buildings throughout the hotel property. (PD1 2009/0002) (PD2 2009/0001) (SM1 2009/0006) (A. Cua)

The Commission may take action on this request. If the intervention request is granted, the Commission may also appoint a Mediator and a Hearings Officer.

4. MS. DANA NAONE HALL, Intervenor Pro Se submitting a Petition to Intervene on the applications by MR. WADE FISCHER, Vice-President of Resort Development, PYRAMID PROJECT MANAGEMENT LLC requesting a Step 1 Planned Development Approval, a Step 2 Planned Development Approval, and a Special Management Area Use Permit for the proposed Renovations and Guestroom Expansion at the Grand Wailea Resort and Spa at 3850 Wailea Alanui Drive, TMK: 2-1-008: 109, Wailea, Island of Maui. Improvements include renovations to hotel public areas, cultural garden, and landscape improvements, expansion of pool activity areas, and 310 additional guest rooms housed in eight (8) extended and detached buildings throughout the hotel property. (PD1 2009/0002)(PD2 2009/0001) (SM1 2009/0006) (A. Cua)

The Commission may take action on this request. If the intervention request is granted, the Commission may also appoint a Mediator and a Hearings Officer.

5. MS. JANICE R. WELSH requesting a 5-year time extension in order to continue to operate offices within the R-1 Residential District at 2241 Vineyard Street at TMK: 3-4-014: 038, Wailuku, Island of Maui. (CP 900002) (J. Dack)

The Commission may take action on this request.

- G. APPROVAL OF ACTION MINUTES OF THE SEPTEMBER 8, 2009 MEETING AND REGULAR MINUTES OF THE JUNE 9, 2009 MEETING.
- H. DIRECTOR'S REPORT
  - 1. Planning Commission Projects/Issues
  - 2. Discussion of Future Maui Planning Commission Agendas
    - a. October 13, 2009 meeting agenda items
  - 3. EA/EIS Report
  - 4. SMA Minor Permit Report
  - 5. SMA Exemptions Report
- I. MAUI PLANNING COMMISSION DISCUSSION OF AND RECOMMENDATIONS RELATED TO THE DRAFT MAUI ISLAND PLAN'S DIRECTED GROWTH MAPS. THE INTENT IS TO REVIEW THE ISLAND BY COMMUNITY PLAN REGION AND IN THE FOLLOWING ORDER: 1. HANA; 2. MAKAWAO-PUKALANI-KULA; 3. KIHEI-MAKENA; 4. WEST MAUI; and 5. WAILUKU-KAHULUI.
- J. NEXT REGULAR MEETING DATE: October 13, 2009.
- K. 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 September 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-

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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\092209.age)