

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

AGENDA

DATE: MAY 11, 2010 (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: Jonathan Starr (Chair), Donna Domingo, Jack Freitas, Kent Hiranaga, Ward Mardfin, Lori Sablas, Warren Shibuya, Orlando Tagorda

Public testimony will be taken at the start of the meeting on any agenda item, except for contested cases under Chapter 91, HRS, 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 HEARING (Action to be taken after each public hearing.)

1. SEABURY HALL requesting a State Land Use Commission Special Use Permit and a Conditional Permit for the proposed creative arts facility and related improvements on approximately 9.476 acres of land located in the State Agricultural District at 480 Olinda Road, TMK: 2-4-008: 001 (por), Makawao, Island of Maui. (SUP2 2009/0016) (CP 2009/0002) (L. Callentine)

Proposed improvements include construction of two separate structures totaling approximately 11,480 square feet to house a stage and audience, classrooms, and related storage. An eighty (80) stall grassed parking lot is proposed adjacent to and south of an existing parking lot.

- a. Public Hearing
- b. Action

2. MR. DON MEDEIROS, Director, COUNTY DEPARTMENT OF TRANSPORTATION requesting a Special Management Area Use Permit for the proposed Queen Kaahumanu Center Bus Transfer Center Improvements project at 275 West Kaahumanu Avenue, TMK: 3-7-002: 020 (por.), Kahului, Island of Maui. (SM1 2009/0015) (G. Flammer)

Proposed improvements include the installation of fifteen (15) new bus shelters with seating and lighting, a surveillance system, trash and recycle bins, bike racks, curbs, sidewalks, asphalt work, concrete bollards, re-striping/markings, landscaping, as well as provision of a larger ramp to accommodate bus patrons.

- a. Public Hearing
- b. Action

3. MAUI MEMORIAL PARK, LLC requesting a County Special Use Permit and County Accessory Use Permit in order to expand the existing Maui Memorial Park on 10.936 acres of land in the County Agricultural District and the M-1 Light Industrial District at Waiinu Road, TMK: 3-8-046: 043, Wailuku, Island of Maui. (CUP 2010/0003) (ACC 2010/0001) (P. Fasi)

The County Special Use Permit is for the lands on the property zoned County Agricultural District. The Accessory Use Permit is for the lands on the property zoned M-1 Light Industrial District.

- a. Public Hearing
- b. Action

C. NEW BUSINESS

1. MR. MIKE YAMAMOTO of MCDONALD'S RESTAURANTS OF HAWAII, INC. requesting an Environmental Assessment Determination on the Final Environmental Assessment prepared 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 Waivee 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 draft Environmental Assessment was reviewed at the July 14, 2009 meeting.

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 accept the Final Environmental Assessment and issue a Findings of No Significant Impact (FONSI) determination or take some other action.

2. HRT LIMITED, a subsidiary corporation of the HARRY AND JEANETTE WEINBERG FOUNDATION requesting comments on the Draft Environmental Assessment prepared in support of the Phase II Project District Approval application for the proposed Maui Lani Shopping Center of approximately 105,000 square feet, consisting of a food market, retail and service shops, office space, restaurants, 569 parking stalls and related improvements on approximately 12.926 acres of land located at the corner of Maui Lani Parkway and Kaahumanu Avenue, TMK: 3-8-007: 121, Wailuku, Island of Maui. (EA 2010/0001) (A. Cua) (To begin at 1:00 p.m. or soon thereafter.)

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

The project needs a Phase II Project District Approval. Action on the Phase II Project District application will be taken 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.

D. COMMUNICATIONS

1. MR. MICHAEL LEONE of HAWAII ARCHITECTURAL on behalf of DAVID STINE requesting a rear-lot line determination for a double frontage lot for property situated at 325 Baldwin Avenue, TMK: 2-5-006: 011, Paia, Island of Maui. (RFC 2010/0001) (G. Flammer)

The Commission may take action on this request.

E. APPROVAL OF THE ACTION MINUTES OF THE APRIL 27, 2010 MEETING AND REGULAR MINUTES OF THE MARCH 9, 2010 MEETING

F. DIRECTOR'S REPORT

1. Notification to the Planning Commission pursuant to its SMA Rules of the transfer from OHANA HOTEL COMPANY, LLC to HANA TOWN CENTER, LLC, a Colorado Limited Liability Company by letter dated April 20, 2010 of the following SMA Use Permit:

New Hana Ranch Store to be located along Mill Road and the Hana Highway, TMK: 1-4-003: 056, Hana, Island of Maui. (SM1 2004/0020) (D. Dias)

2. Shoreline Setback Area Approval (SSA) issued to Glenn Beadles by letter dated April 21, 2010 for the proposed construction of a temporary beach cabana set for a filming sequence for "The Pretend Wife" at Grand Wailea Beach Hotel, TMK: 2-1-008: 109, Wailea, Island of Maui. (SSA 2010/0011) (C. Thackerson)

The Commission shall acknowledge receipt of the information regarding the issuance of the SSA.

3. Planning Commission Projects/Issues
4. Discussion of Future Maui Planning Commission Agendas
 - a. May 25, 2010 meeting agenda items
5. EA/EIS Report
6. SMA Minor Permit Report submitted with the April 27, 2010 agenda
7. SMA Minor Permit Report
8. SMA Exemptions Report submitted with the April 27, 2010 agenda
9. SMA Exemptions Report

G. NEXT REGULAR MEETING DATE: MAY 25, 2010

H. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

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.

UNLESS OTHERWISE SPECIFIED BY ANOTHER SPECIFIC PLANNING COMMISSION RULE, 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 on April 27, 2010.

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\051110.age)