

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 25, 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. CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah Corporation Sole requesting a County Special Use Permit and a Phase II Project District Approval for the LDS Church at Maui Lani Project District in the vicinity of the intersection of Kuikahi Drive (extension) and the Maui Lani Parkway at TMK: 3-8-007: 151 (por.), Kahului, Island of Maui. (CUP 2009/0005) (PH2 2009/0001) (D. Dias)

- a. Public Hearing
- b. Action

C. 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 her intent to process the time extension request administratively on the following:

MS. YARROW FLOWER of MAUI LAND & PINEAPPLE COMPANY, INC. requesting a 2-year time extension on the Special Management Area Use Permit condition to initiate construction of the Kapalua Central Resort project at TMK: 4-2-004: portion of 024, Kapalua, Lahaina, Island of Maui. (SM1 2006/0029) (PH2 2006/0006) (K. Wollenhaupt)

The Commission shall acknowledge receipt of the request. The Commission may decide whether to waive its review or review the time extension request at a future meeting.

D. CONTINUATION OF ORIENTATION WORKSHOP (previously scheduled for the April 13, 2010 meeting.)

1. County Policy Against Discrimination
2. Flow Chart for Land Use Applications Going to Council
3. Flood Hazard Districts

E. ACCEPTANCE OF THE ACTION MINUTES OF MAY 11, 2010 AND THE REGULAR MINUTES OF THE MARCH 17, 2010 AND APRIL 27, 2010 MEETINGS

F. DIRECTOR'S REPORT

1. Planning Commission Projects/Issues
2. Discussion of Future Maui Planning Commission Agendas
  - a. June 8, 2010 meeting agenda items
3. EA/EIS Report
4. SMA Minor Permit Report
5. SMA Exemptions Report

G. Contested Case Hearing Subject to Chapter 91 HRS (To being at 1:00 p.m. or soon thereafter)

MR. GARY STICE of HANA BEACHFRONT ASSOCIATES appealing the Planning Department's decision to require a Special Management Area Use Permit for the construction of proposed residential structures at 175 Haneoo Road, Koki Beach, Hana, Island of Maui. (APPL 2009/0004)(T. Kapuaala) (Contested case site inspection conducted on May 4, 2010.)

H. NEXT MEETING DATE: JUNE 8, 2010

I. 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 May 11, 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\052510.age)**