

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 24, 2011 (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: Kent Hiranaga (Chair), Warren Shibuya (Vice-Chair), John "Keone" Ball, Donna Domingo, Jack Freitas, Ivan Lay, Ward Mardfin, Lori Sablas, Penny Wakida

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

1. MR. GREGORY SCHNEIDER, President of Genesee Capital requesting a three (3)-year time extension on the Special Management Area Use Permit condition to initiate construction of the Maui Lu Redevelopment project, a 388-unit hotel condominium time-share project with related service and recreational amenities, landscape planting, parking, and infrastructure and utility improvements at TMK: 3-9-001: 083, 086, and 120, Kihei, Island of Maui. (SM1 2003/0021) (A. Cua)

- a. Public Hearing
- b. Action

2. MS. SUSAN O'CONNOR of ALA KUKUI requesting a Conditional Permit in order to operate the Ala Kukui Spiritual Retreat Center, a facility with overnight accommodations for spiritual and educational activities and retreats on approximately 12.008 acres of land in the State Agricultural District at TMK: 1-3-004: 008, Wakiu and Kawaipapa, Hana, Island of Maui. (CP 2011/ 0004) (P. Fasi)

- a. Public Hearing
- b. Action

3. MR. BENJAMIN MIURA, Project Manager of the STATE DEPARTMENT OF EDUCATION, FACILITIES DEVELOPMENT BRANCH, PLANNING SECTION requesting a State Land Use Commission Special Use Permit for the Paia Elementary School on approximately 9.954 acres in the State Agricultural District at TMK: 2-5-005: 004, Paia, Island of Maui. (SUP2 2011/0001) (D. Dias)

The scope of the request includes the construction of a new cafeteria building as the old one burned down in 2005.

- a. Public Hearing
- b. Action

4. MR. JAMES R. WICKER, JR. requesting a Bed and Breakfast Permit in order to operate the Wai Ola Vacation Paradise Bed and Breakfast, a four-bedroom bed and breakfast (B&B) home at 1565 Kuuipo Street, TMK: 4-5-027: 033, Lahaina, Island of Maui. (BBWM T2009/0003) (K. Wollenhaupt)

The B&B application is being brought before the Maui Planning Commission because there is another permitted bed and breakfast operation located within 500 ft. from this property.

- a. Public Hearing
- b. Action

C. COMMUNICATIONS

1. MR. DAVID KAWIKA KAINA, Chairman of the HANA ADVISORY COMMITTEE TO THE MAUI PLANNING COMMISSION transmitting the Committee's record and recommendations on the application of MS. SUSAN O'CONNOR of ALA KUKUI requesting a State Land Use Commission Special Use Permit in order to operate the Ala Kukui Spiritual Retreat Center, a facility for spiritual and educational activities and retreats on approximately 12.008 acres of land in the State Agricultural District at TMK: 1-3-004: 008, Wakiu and Kawaipapa, Hana, Island of Maui. (SUP2 2009/0013) (P. Fasi) (The public hearing was conducted by the Hana Advisory Committee to the Maui Planning Commission on January 20, 2011)

The Commission may take action on this request.

D. UNFINISHED BUSINESS

1. MR. ROBERT T. MCDANIEL III, Development Partner of KANAHA PROFESSIONAL PLAZA, LLC requesting an Environmental Assessment determination on the Final Environmental Assessment prepared in support of the Special Management Area Use Permit for the proposed Maui Medical Plaza Project consisting of the construction of a six-story approximately 132,865 square foot professional medical office/laboratory facility, a six-story approximately 365 stall parking structure, and related improvements in the M-2 Heavy Industrial District at

151 Hana Highway, TMK: 3-7-011: 028, Kahului, Island of Maui. (EA 2010/0002) (SM1 2010/0006) (J. Buika) (The Draft EA was reviewed at the July 27, 2010 meeting.)

The accepting authority of the EA is the Maui Planning Commission.

The EA trigger is the utility work being done within the State right-of-way.

The project needs a Special Management Area Use Permit. Action on the Special Management Area Use Permit application will be taken 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) or take another action.

E. ACCEPTANCE OF THE ACTION MINUTES OF THE MAY 10, 2011 MEETING

F. DIRECTOR'S REPORT

1. May 10, 2011 memo from Joshua Stone, Chair of the Maui County Charter Commission to Boards and Commissions requesting submittal of proposed charter amendments and/ or recommendations by June 30, 2011.
2. May letter from Council Member Don Couch, Chair of the Council Planning Committee requesting that the Council Resolution No. 11-24 regarding the Short Term Rental Home Bill be taken to the Hana Community for their input.
3. EA/EIS Report
4. SMA Minor Permit Report distributed with the April 26, 2011 agenda
5. SMA Minor Permit Report distributed with the May 10, 2011 agenda
6. SMA Minor Permit Report
7. SMA Exemptions Report distributed with the April 26, 2011 agenda
8. SMA Exemptions Report distributed with the May 10, 2011 agenda
9. SMA Exemptions Report
10. Planning Commission Projects/Issues
 - a. Revising the SMA Boundaries
11. Discussion of Future Maui Planning Commission Agendas

a. June 14, 2011 meeting agenda items

G. NEXT REGULAR MEETING DATE: JUNE 14, 2011

H. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

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 10, 2011.

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 SIX (6) 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\052411.age)