

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

AGENDA

DATE: NOVEMBER 8, 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 HEARING (Action to be taken after public hearing.)

1. MR. MITCH DHOMHOWSKI of AUWAHI WIND ENERGY, LLC requesting a County Special Use Permit and a Special Management Area Use Permit to construct and operate the Auwahi Wind Farm consisting of eight (8) wind turbine generators with a net generating capacity of 21 megawatts, augmented with an energy storage system. Also includes collector switchyard; operations and maintenance facility and related infrastructure; a 14.5-kilometer 9-mile long 34.5 kilovolt (kV) generator tie-line; interconnection substation; microwave communication tower; and construction access route along existing public roadways and pastoral roads at TMK: 1-9-001: 006, 2-1-002: 001, 2-1-002: 002, 2-1-004: 006; 2-1-004: 049, 2-1-004: 999, 2-1-005: 108, 2-1-008: 001, 2-1-008: 131, and 2-1-008: 999, Ulupalakua, Island of Maui. (CUP 2011/0002) (SM1 2011/0002) (J. Prutch)

- a. Public Hearing
- b. Action

2. MR. CHRIS REYNOLDS of MAUI ELECTRIC COMPANY, LTD., requesting a County Special Use Permit for the Auwahi Wind Farm - MECO's Interconnection Substation consisting of an interconnection substation (IS) to step up electricity from 34.5 kV to 69 kV with a microwave tower and BESS facility. An all-weather gravel access road from Kula Highway will be provided to the IS. The subject property is located at TMK: 2-1-008: 001, Ulupalakua, Island of Maui. (CUP 2011/0003) (J. Prutch)
 - a. Public Hearing
 - b. Action

C. NEW BUSINESS

1. PACIFIC RIM LAND, INC. requesting comments on the Draft Environmental Assessment (DEA) prepared in support of the Community Plan Amendment, District Boundary Amendment, Change in Zoning, and County Special Use Permit for the existing Kihei Rock Crushing Facility and related improvements including upgrade of an existing waterline located at 500 East Welakahao Road, TMK: 2-2-002: 078, Kihei, Island of Maui. (EA 2011/0004) (CPA 2011/0001) (DBA 2011/0004) (CIZ 2011/0004) (CUP 2011/0006) (K. Wollenhaupt)

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

The EA trigger is the community plan amendment.

The project needs a Community Plan Amendment (CPA), a State Land Use District Boundary Amendment (DBA), a Change in Zoning (CIZ), and a County Special Use Permit (CUP). The public hearing on the CPA, DBA, CIZ, and CUP applications will be conducted by the Maui Planning Commission after the Chapter 343 process has been completed.

The Commission may take action to provide its comments on the Draft EIS.

C. COMMUNICATIONS (To be taken up at 1:00 p.m. or soon thereafter.)

1. MR. GARY SLOVIN and MIHOKO ITO of GOODSILL ANDERSON QUINN & STIFEL, attorneys for COSTCO WHOLESALE CORPORATION requesting adoption of the proposed Findings of Fact, Conclusions of Law, and Decision and Order regarding the Maui Planning Commission's September 13, 2011 action to deny DAIRY ROAD PARTNERS' Petition to Intervene on the COSTCO WHOLESALE CORPORATION's Special Management Area Use Permit application for the Costco Warehouse Expansion Project consisting of an approximately 29,067 sq. ft. addition to the warehouse store; a 3,200 sq. ft. car wash; ten lane five island self serve gasoline fueling facility; addition of 128 parking stalls and related improvements at 540 Haleakala Highway, TMK: 3-8-079: 022 & 013 (por.), Kahului, Island of Maui. (SM1 2010/0009) (D. Dias)

The Commission may take action to adopt or modify the proposed order as the Commission's written Decision and Order on the intervention request. Action denying the intervention request took place at the September 13, 2011 meeting.

E. ACCEPTANCE OF THE ACTION MINUTES OF THE OCTOBER 25, 2011 MEETING

F. 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 process the time extension request administratively on the following:

MR. GLENN RICHARDSON, General Partner of PARADISE RIDGE LIMITED PARTNERSHIP requesting a Special Management Area Use Permit time extension until March 31, 2013 on the period to initiate construction of the Paradise Ridge Estates Project, a 32-unit condominium complex with swimming pool and related improvements at 2757 Kihei Road, TMK: 3-9-004: 132, Kihei, Island of Maui. (SM1 2001/0010) (A. Cua)

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.

2. MR. WILLIAM SPENCE, Planning Director notifying the Maui Planning Commission of his intent pursuant to the provisions of the Chapter 19.32, as amended, of the Maui County Code to approve the following Step 3 Planned Development request:

KOBAYASHI GROUP, LLC requesting a Step 3 Planned Development Approval for the Andaz Resort & Residences (formerly 1 Resort and Residences) project including the improvements to the County's Ulua/ Mokapu Beach Park at 3550 and 3572 Wailea Alanui Drive, TMK: 2-1-008: 067 and 88, Wailea, Island of Maui. (PD3 2011/0001) (A. Cua)

The commission may take action to waive its review or review the proposed non-substantive amendment at a subsequent meeting.

3. Planning Commission Projects/Issues
 - a. Revising the SMA Boundaries
4. EA/EIS Report
5. SMA Minor Permit Report
6. SMA Exemptions Report
7. Discussion of Future Maui Planning Commission Agendas

- a. November 22, 2011 meeting agenda items
- 8. Special Maui Planning Commission meeting, December 7, 2011 at 6:00 p.m., Hannibal Tavares Center, Pukalani, Island of Maui on the following:

MR. FRED ROMANCHAK of the KULA LODGE requesting a Phase II Project District amendment to delete Condition No. 26 prohibiting kitchens inside the hotel rooms for the Kula Lodge at 15200 Haleakala Highway, TMK: 2-3-022: 087. Kula, Island of Maui. (PH2 2008/0002) (P. Fasi)

G. NEXT REGULAR MEETING DATE: NOVEMBER 22, 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 to file a timely Petition to Intervene was on October 26, 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\110811.age)