

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 11, 2012 (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), Ivan Lay (Vice-Chair), John "Keone" Ball, Donna Domingo, Jack Freitas, Wayne Hedani, Warren Shibuya, Max Tsai, 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. NEW BUSINESS

1. ASSOCIATION OF THE APARTMENT OWNERS OF THE HOLOLANI RESORT CONDOMINIUMS requesting comments on the Draft Environmental Assessment prepared in support of the proposed Hololani Resort Condominiums Shore Protection Project at the shoreline and partially makai of the shoreline for property located at 4401 Lower Honoapiilani Road, TMK: 4-3-010: 009, Lahaina, Island of Maui. (RFC 2012/0097) (J. Buika)

The accepting authority of the Final Environmental Assessment will be the State Department of Land and Natural Resources, Office of Conservation and Coastal Lands.

The project also requires a Special Management Area Use Permit and Shoreline Setback Variance from the Maui Planning Commission. The public hearing on the Special Management Area Use Permit and Shoreline Setback Variance will be scheduled after the Chapter 343, HRS process has been completed.

The Commission may provide its comments on the Draft Environmental Assessment.

C. COMMUNICATIONS

1. MS. LI LYNN STETTLER of CAFÉ CARMEN AT THE TECH PARK requesting a Special Accessory Use Approval pursuant to the provisions of Chapter 19.33 of the Maui County Code in order to operate a restaurant, Café Carmen at Premier Place in the Kihei Research and Technology Park at TMK: 2-2-024:007, Kihei, Island of Maui. (ACC 2012/0002) (P. Fasi)

The Commission may take action on this request.

D. ACCEPTANCE OF THE ACTION MINUTES OF THE AUGUST 28, 2012 MEETING AND REGULAR MINUTES OF THE JULY 24, 2012 AND AUGUST 14, 2012 MEETINGS

E. DIRECTOR'S REPORT

1. MR. WILLIAM SPENCE, 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 following time extension requests administratively:

- a. MS. SHIRLEY ANN KAHAI, Executive Director of FRIENDS OF MOKUULA, INC. requesting a two (2)-year time extension on the Special Management Area Use Permit condition to initiate construction of an 84 parking lot and ancillary improvements on Shaw Street at TMK: 4-6-007: 001, por. of 002, and 036, Lahaina, Island of Maui. (SM1 2003/0008) (E. Wade)

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.

- b. MR. JASON WEXLER requesting a two (2)-year time extension on the Special Management Area Use Permit condition to initiate construction of the SF-11 Planned Development project, a 16 lot single-family condominium and related improvements on 6.779 acres of land at TMK: 2-1-008: 118 (por.), Wailea, Island of Maui. (SM1 2008/0011) (J. Buika)

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. Referral of the following applications to the Hana Advisory Committee to conduct the public hearing and its recommendations:

- a. ROBERT & ERICA REYNOLDS requesting a State Land Use Commission Special Use Permit and a Short-Term Rental Home Permit in order to operate the Hana Estate, a five bedroom short-term rental home in the State Agricultural District located at 110 Maia Road, TMK: 1-3-009: 076, Hana, Island of Maui. (SUP2 2012/0022) (STHA T2012/0003) (G. Flammer)

- b. ROBERT & WENDY HOREN requesting a State Land Use Commission Special Use Permit in order to operate the Hale Nanea, a two-bedroom short-term rental home in the State Agricultural District located at 5440 Hana Highway, TMK: 1-4-003: 051, Hana, Island of Maui. (SUP2 2012/0018) (STHA T2012/0002)(G. Flammer)

The Commission may take action to designate the Hana Advisory Committee to the Maui Planning Commission to conduct the public hearing and make its recommendations on the subject applications or take some other action.

3. 2013 Meeting Schedule

The Commission may act to adopt the proposed meeting schedule or take some other action.

4. Notification of the transfer of the following Special Management Area Use Permit per the Special Management Area Rules of the Maui Planning Commission:

Transfer of the Special Management Area Use Permit from HMC MAUI LLC to HOST MAUI VACATION OWNERSHIP, LLC for the proposed Hyatt Regency Timeshare Tower Additions at TMK: 4-4-013: 003, 004, and 008, Kaanapali, Lahaina, Island of Maui. (SM1 2006/0001) (A. Benesovska)

This is for information purposes only.

5. Planning Commission Projects/Issues

- a. Amending the SMA Boundaries

6. EA/EIS Report

7. SMA Minor Permit Report

8. SMA Exemptions Report

9. 2012 Hawaii Congress of Planning Officials (HCPO) Conference - September 12-14, 2012, Ko Olina, Oahu.

10. Discussion of Future Maui Planning Commission Agendas

- a. September 25, 2012 meeting agenda items

- F. NEXT REGULAR MEETING DATE: SEPTEMBER 25, 2012

- G. 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.

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\091112.age)