

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

AGENDA

DATE: OCTOBER 23, 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. STANFORD CARR DEVELOPMENT, LLC on behalf of THE HARRY AND JEANETTE WEINBERG FOUNDATION, INC. requesting comments on the Draft Environmental Assessment prepared in support of the Section 201-38, HRS approval and a Special Management Area Use Permit for the proposed Kahoma Village Project consisting of approximately 203 housing units including 69-single family units in clusters, 32-single family dwellings with a rear service entry, 102 multi-family units, three resident parks totaling 1.75 acres, parking, landscaping, and associated roadway and utility improvements on approximately 21.6 acres of land at TMK: 4-5-008: 001 (por.), Lahaina, Island of Maui. (EAC 2012/0022) (SM1 2012/0008) (K. Wollenhaupt for K. Aoki)

The Department of Housing and Human Concerns is the accepting agency of the Environmental Assessment.

The public hearing on the Special Management Area (SMA) Use Permit after the Environmental Assessment and Section 201-38, HRS processes have been completed.

The Commission may provide its comments on the Draft EA.

2. MR. DAVID PYLE, Executive Vice-President of THE KRAUSZ COMPANIES, INC. requesting comments on the Draft Environmental Assessment prepared in support of the Downtown Kihei Commercial Project including drainage, landscaping, utilities, lighting, and roadway improvements including the reconstruction of Piikea Avenue at TMK: 3-9-002: 030, 076, 080, and 158, Kihei, Island of Maui. (EA 2012/0003) (A. Cua)

The EA triggers are the community plan amendment and work within the County right-of-way. The Maui Planning Commission is the accepting agency of the Environmental Assessment.

The applicant has also applied for a Community Plan Amendment, Change in Zoning, and Special Management Area Use Permit. The public hearing on these applications will be scheduled for a date after the Chapter 343, HRS process has been completed.

The Commission may provide its comments on the Draft EA.

C. COMMUNICATIONS

1. MR. EVERETT DOWLING on behalf of PALAUEA DEVELOPERS, LLC requesting a transfer of condition nos. 14, 15, and 17 of the Special Management Area Use Permit and Project District Phase II Approval for the Palauea Subdivision 20.7 acre Cultural Preserve Park to the OFFICE OF HAWAIIAN AFFAIRS (OHA) for property located at TMK: 2-1-023: 002 and 2-1-023: 034, Makena, Island of Maui. (SM1 990017) (PH2 990004) (K. Wollenhaupt)

The Commission may act on these requests.

2. MR. GIAMPAOLO BOSCHETTI and THE WESTIN MAUI CORP. requesting an amendment to the Special Management Area Use Permit condition to remove condition no. 8 (employee housing requirement) on the former Maui Surf (Westin Maui) Redevelopment Project at 2365 Kaanapali Parkway, TMK: 4-4-008: 019, Kaanapali, Island of Maui. (J. Prutch)

The Commission may act on this request.

D. UNFINISHED BUSINESS

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 request administratively:

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) (Deferred at the September 11, 2012 meeting.)

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 recommending that the Commission acknowledge its final approval authority of County Special Use Permit Docket No. 2011/0006 subject to Conditions No. 1 to 15 and to the Council's passage of associated Community Plan Amendment Docket No. 2011/0001, District Boundary Amendment Docket No. 2011/0004, and Change in Zoning Docket No. 2011/0004 for the Kihei Rock Crushing Facility and related improvements including upgrade of an existing waterline at 500 East Welakahao Road, TMK: 2-2-002: 078, Kihei, Island of Maui. (K. Wollenhaupt)

The Maui Planning Commission conducted a public hearing on these land use applications on May 22, 2012. With the passage of Ordinance No. 3976 on September 21, 2012 relating to the M-2 Heavy Industrial District, the Maui Planning Commission is now the final approving authority of the County Special Use Permit.

The Commission may take action on the Planning Director's recommendation.

E. ACCEPTANCE OF THE ACTION MINUTES OF THE OCTOBER 9, 2012 MEETING AND REGULAR MINUTES OF THE AUGUST 28, 2012 MEETING

F. DIRECTOR'S REPORT

1. Planning Commission Projects/Issues
 - a. Amending the SMA Boundaries
2. EA/EIS Report
3. SMA Minor Permit Report
4. SMA Exemptions Report
5. Discussion of Future Maui Planning Commission Agendas
 - a. November 13, 2012 meeting agenda items

G. NEXT REGULAR MEETING DATE: NOVEMBER 13, 2012

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.

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\102312.age)