

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 27, 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. PUBLIC HEARING (Action to be taken after public hearing)

1. MS. COLLEEN BRADY requesting a State Land Use Commission Special Use Permit for the Lilikoi Lani Farm Bed and Breakfast, a five (5)-bedroom bed and breakfast located in the State Agricultural District at 2460 Kaupakalua Road, TMK: 2-7-002: 061, Haiku, Island of Maui. (SUP2 2012/0008) (J. Prutch)

This public hearing item will be rescheduled and renoticed to a Maui Planning Commission meeting in January as the Bed and Breakfast Permit application must also be brought before the Maui Planning Commission for public hearing and decision making since the subject property is located within 500 ft. of a permitted bed and breakfast operation.

2. MS. JENNIFER ELY requesting a State Land Use Commission Special Use Permit in order to operate the Haiku Anuenue Bed and Breakfast, a bed and breakfast operation using the two (2) bedroom second dwelling for bed and breakfast purposes in the State Agricultural District at 544 Kaiapa Place, TMK: 2-8-005: 099, Haiku, Island of Maui. (SUP2 2012/0023) (K. Wollenhaupt)

- a. Public Hearing
- b. Action

3. MR. PAUL GOTEL requesting a State Land Use Commission Special Use Permit in order to operate the Dragonfly Cottage Bed and Breakfast, a two (2) bedroom bed and breakfast home with both guest rooms located in the accessory farm dwelling in the State Agricultural District at 1075 Nanihoku Place, TMK: 2-7-029: 015, Haiku, Island of Maui. (SUP2 2010/0002) (J. Prutch)
 - a. Public Hearing
 - b. Action

C. NEW BUSINESS

1. CMBY 2011 INVESTMENT, LLC requesting an Environmental Assessment Determination on the Final Environmental Assessment prepared in support of the Community Plan Amendment from Agricultural District to the Heavy Industrial District for the proposed Puunene Heavy Industrial Subdivision located on approximately 86 acres approximately 1 mile southeast of the intersection of Mokulele Highway, Mehameha Loop, and Kamaaina Road, TMK: 3-8-008: 019, Puunene, Island of Maui. (EA 2012/0001) (CPA 2012/0002) (CIZ 2012/0005) (K. Wollenhaupt) (The Draft EA was reviewed at the June 26, 2012 Maui Planning Commission meeting.)

The accepting agency of the Final Environmental Assessment is the Maui Planning Commission.

The EA triggers are the Community Plan Amendment and the use of State lands(proposed access easements across State property).

The project needs a Community Plan Amendment (CPA) and a Change in Zoning (CIZ) from the Maui County Council. The applicant will also have to file for a district boundary amendment to the State Urban District with the State Land Use Commission. The public hearing on the CPA and CIZ applications will be conducted by the Maui Planning Commission after the Chapter 343 process has been completed.

The Commission may act to accept the Final EA as a Findings of No Significant Impact (FONSI) or take some other action.

D. COMMUNICATIONS

1. CHRIS HART & PARTNERS on behalf of THE FAMILY LIFE CENTER requesting a ten (10)-year time extension of the County Special Use Permit to continue to operate an overnight shelter for up to fifty (50) individuals at the Family Life Center located in R-3 Residential District at 95 Kane Street, TMK: 3-7-005: 015, Kahului, Island of Maui. (CUP 2007/0003) (C. Thackerson)

The Commission may take action on this request.

E. ACCEPTANCE OF THE ACTION MINUTES OF THE NOVEMBER 13, 2012 MEETING AND REGULAR MINUTES OF THE SEPTEMBER 25, 2012 MEETING

F. 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 request administratively:
 - a. ROYAL LAHAINA DEVELOPMENT GROUP, LLC (RLDG) requesting a two (2)-year time extension on the Special Management Area Use Permit condition to complete construction of the Royal Lahaina Revitalization project at TMK: 4-4-008: 007 and 013, Kaanapali, Lahaina, Island of Maui. (SM1 2005/0038) (SSV 2005/0005) (K. Aoki)

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. Planning Commission Projects/Issues
 - a. Amending the SMA Boundaries
3. EA/EIS Report
4. SMA Minor Permit Report
5. SMA Exemptions Report
6. Discussion of Future Maui Planning Commission Agendas
 - a. December 11, 2012 meeting agenda items

G. NEXT REGULAR MEETING DATE: DECEMBER 11, 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. The deadline to file a timely intervention request was on November 9, 2012.

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\112712.age)