

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

AGENDA

DATE: MARCH 12, 2013 (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. MR. BRADFORD ING of THE ING CORPORATION, attorney for the WELLS STREET PROFESSIONAL CENTER AOA requesting a Change in Zoning from R-1 Residential District to B-2 Community Business District for property comprised of approximately 7,586 square feet at 0 Konahau Place, TMK: 3-4-008: 038, Wailuku, Island of Maui. (CIZ 2012/0008) (P. Fasi)
 - a. Public Hearing
 - b. Action
2. AMY WISTHOFF MARTIN and DAN MARTIN requesting a Conditional Permit and amendment to the State Land Use Commission Special Use Permit for the Hooilo House Weddings, to allow for the hosting of weddings at an approved Bed and Breakfast Home located in the State Agricultural District and the County Agricultural Zoning District on approximately two (2) acres of land at 138 Awaiku Street, TMK: 4-7-009: 058, Launiupoko, Lahaina, Island of Maui. (SUP2 2003/0003) (CP 2012/0005) (K. Wollenhaupt)

- a. Public Hearing
- b. Action

- 3. WILLIAM and CANDACE RABOFF requesting a State Land Use Commission Special Use Permit in order to operate the Kulike Short-Term Rental Home in the State Agricultural District on approximately 3.1 acres of land located at 380 Kulike Road, TMK: 2-8-004: 085, Haiku, Island of Maui. (SUP2 2012/0020) (K. Wollenhaupt)

- a. Public Hearing
- b. Action

C. COMMUNICATIONS

- 1. MS. SAMADHI BUTTERFLY requesting a State Land Use Commission Special Use Permit (SUP) Time Extension and Amendment for the Ala Aina Ocean Vista Transient Vacation Rental on approximately 4.0 acres of land off Hana Highway at HC-1 Box 164A, TMK: 1-6-009: 018, Kipahulu, Island of Maui. (SUP2 2001/0016) (J. Prutch)

The Commission may take action on this request.

D. NEW BUSINESS

- 1. MR. DAVID PYLE, Executive Vice-President of THE KRAUSZ COMPANIES, INC. requesting an Environmental Assessment Determination on the Final 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 authority 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 accept the Final Environmental Assessment (FEA) as a Findings of No Significant Impact (FONSI) with or without modifications or take some other action.

E. ACCEPTANCE OF THE ACTION MINUTES OF THE FEBRUARY 26, 2013 MEETING AND REGULAR MINUTES OF THE OCTOBER 23, 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:

MR. RODRIGO BUMANGLAG requesting a two (2)-year time extension request on the Special Management Area Use Permit condition to initiate construction of two (2) additional main single-family dwellings and appurtenant utilities and related improvements in the R-2 Residential District at 357 South Kihei Road, TMK: 3 9-041: 006, Kihei, Island of Maui. (SM1 2008/0026) (A. Benesovska)

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. March 25, 2013 (Monday) meeting agenda items

G. NEXT REGULAR MEETING DATE: MARCH 25, 2013 (Monday)

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 February 26, 2013.**

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\031213.age)