

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 25, 2013 (Monday)
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. RESOLUTIONS THANKING OUTGOING MEMBERS - Donna Domingo and Kent Hiranaga
- C. PUBLIC HEARING (Action to be taken after public hearing)
 - 1. MS. G. KIM HEMBREE and MR. JOHN M. SWANSON requesting a Bed and Breakfast Permit for the Halama Dolphin House B&B, a two (2) bedroom Bed and Breakfast (B&B) Home located at 1676 Halama Street, TMK: 3-9-011: 009, Kihei, Island of Maui. (BBKM T2012/0004) (G. Flammer)

Planning Commission review is required because there is another permitted bed and breakfast operation located within 500 feet of the subject property.
 - a. Public Hearing
 - b. Action
- D. ACCEPTANCE OF THE ACTION MINUTES OF THE MARCH 12, 2013 MEETING AND REGULAR MINUTES OF THE NOVEMBER 27, 2012 MEETING

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 request administratively:

- a. STATE DEPARTMENT OF TRANSPORTATION, AIRPORTS DIVISION requesting a Special Management Area Use Permit 2-year time extension on the period to initiate construction of the Kahului Airport Heliport Improvements project at TMK: 3-8-001: 019, Kahului, Island of Maui. (SM1 2008/0021) (C. Thackerson)

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. KAK II, LLC requesting a Special Management Area Use Permit two (2)-year time extension to complete construction of the Ke Alii Kai II Subdivision (aka Moana Estates Subdivision) at TMK 3-9-019: 004, Kihei, Island of Maui. (SM1 2003/0013) (C. Thackerson)

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. Designation of the Hana Advisory Committee to the Maui Planning Commission to conduct the public hearing on the subject application:

MS. NANCY PLENTY of KAUIKI ENTERPRISES, LLC requesting a Change in Zoning from Urban Reserve (UB) District to Service Business Residential (SBR) District to operate the Luana Spa Retreat, a day spa with one short-term rental and café at 5050 Uakea Road, TMK: 1-4-004: 005, Hana, Island of Maui. (CIZ 2013/0001) (P. Fasi)

The Commission may act to direct the Hana Advisory Committee to conduct the public hearing and make its recommendation to the Planning Commission on the subject application or take some other action.

3. Planning Commission Projects/Issues
 - a. Amending 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. April 9, 2013 meeting agenda items
- F. NEXT REGULAR MEETING DATE: APRIL 9, 2013
- 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. **The deadline to file a timely intervention request was on March 11, 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\032513.age)