

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 12, 2013
TIME: 9:00 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui, Hawaii 96793
Members: Ivan Lay (Chair), Warren Shibuya (Vice-Chair), John "Keone" Ball, Sandra Duvauchelle, Jack Freitas, Wayne Hedani, Jason Medeiros, 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 each public hearing item.)

1. MR. GLENN M. OKIMOTO, PhD, Director, STATE DEPARTMENT OF TRANSPORTATION requesting a Special Management Area Use Permit for the Kahului Airport Consolidated Car Rental Facility project consisting of (a) the construction of a new three-story consolidated rental car facility (ConRAC), (b) installation of related improvements for the ConRAC; and (c) minor demolition activities to prepare the project area for the ConRAC facility at the Kahului Airport, TMK: 3-8-001: 019 (por.) and 239, Kahului, Island of Maui. (SM1 2013/0002) (P. Fasi)

- a. Public Hearing
- b. Action

2. THOMAS WELCH of MANCINI WELCH & GEIGER, attorney on behalf of SESJBT, LLC requesting a Special Management Area Use Permit for the construction of the Maluhia Condominium Unit 8 project consisting of an 8,606 square foot, two-story single family dwelling and additional improvements consisting of a swimming pool, pool equipment room, pavilion, utility storage, garage, driveway, retaining walls, landscaping, and infrastructure improvements at 27 Malukai Lane, TMK: 2-1-008: 062 CPR 008, Wailea, Island of Maui. (SM1 2013/0007) (J. Dack)

The proposed project is one of 14 condominium homesites, 10 have already been constructed.

- a. Public Hearing
 - b. Action
3. MS. TAMMI VILLAREN requesting a State Land Use Commission Special Use Permit in order to operate the God's Peace of Maui Bed and Breakfast, a six (6) bedroom bed and breakfast home in the State Agricultural District at 1290 Haliimaile Road, TMK: 2-4-001: 010, Makawao, Island of Maui. (SUP2 2009/0015) (G. Flammer)
- a. Public Hearing
 - b. Action

C. COMMUNICATIONS

1. MR. GRANT Y.M. CHUN, Vice-President of A&B PROPERTIES, INC. requesting a change in scope of the project to eliminate the planned commercial component of the project and the resulting amendments to the Special Management Area Use Permit and Step II Planned Development approval conditions for the project and a five (5)-year time extension on the period to initiate construction of the Wailea Resort MF-10 Project along Wailea Ike Drive at TMK: 2-1-008: 121, Wailea, Island of Maui. (SM1 2008/0007) (PD2 2008/0001) (D. Dias)

The approved project consists of nine single-family residential lots, 36 multi-family units housed in four (4) separate, 3-story buildings, a commercial center of approximately 64,000 square feet, and related improvements. The revised project will now consist of nine single-family lots and 36 multi-family units and related improvements. A future proposed hotel is planned for the former commercial site and will come in under brand new Special Management Area Use Permit and Step 2 Planned Development Approval applications from R.D. Olson Development.

The Commission may take action on these amendment requests.

D. UNFINISHED BUSINESS

1. MR. TERRY EPSTEIN requesting a State Land Use Commission Special Use Permit and a Short-Term Rental Home Permit in order to operate the Shambala Short-Term Rental Home, a six (6)-bedroom short-term rental home in the State Agricultural District at 120 Kaimanu Place, TMK: 2-1-019: 100, Wailea, Kihei, Island of Maui. (SUP2 2012/0030) (STKM T2012/0012) (D. Dias) (Deferred at the October 8, 2013 meeting.)

The Short-Term Home Rental Home Permit application is being brought to the Maui Planning Commission because the neighbor protest threshold has been met.

(Commissioners: Please bring the Department's Director's Report and the Recommendation Memorandum on this item from the October 8, 2013 with you to this meeting.)

This matter is being brought to the Maui Planning Commission because there is a permitted B&B operation located within 500 ft.

The Commission may take action on this request.

E. ACCEPTANCE OF THE ACTION MINUTES OF OCTOBER 22, 2013 MEETING

F. DIRECTOR'S REPORT

1. Pursuant to the Special Management Area Rules of the Maui Planning Commission, notification to the Maui Planning Commission of the filing of the following Special Management Area (SMA) Appeal:

- a. ISAAC HALL, attorney for MAUI TOMORROW FOUNDATION, INC., LANCE HOLTER, THE LUNA PLACE ROAD ASSOCIATION, TERI LARRONDE, and MICHAEL NEWBRO submitting an appeal dated October 17, 2013 of the amended SMA Minor Permit and an amended Country Town Business (CTB) Approval issued by the Planning Director for Renovations and refurbishment to an existing building and the Mercantile building at 120 Hana Highway, TMK: 2-6-005: 033, Paia, Island of Maui. (APPL 2013/0010) (SM2 2013/0069) (SMX 2012/0414) (CTB 2013/0003) (E. Wade)

This is for notification purposes pursuant to the SMA Rules of the Maui Planning Commission. No action will be taken.

2. 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. MR. MICHAEL SUMMERS, President of PLANNING CONSULTANTS HAWAII, LLC on behalf of MBP TEXAS REALTY, LLC requesting a two (2)-year time extension on the Special Management Area Use Permit condition to initiate construction for property situated at 2192 Iiili Road, TMK: 3-9-005: 033, Kihei, Island of Maui. (SM1 2007/0017) (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.

- b. MR. JORDAN HART, President of CHRIS HART & PARTNERS on behalf of MR. ALFRED FAIRBANKS requesting a two (2)-year time extension on the Special Management Area Use Permit condition to initiate construction of the Alahahele Subdivision and related improvements at TMK: 3-9-017: 034, Kihei, Island of Maui. (SM1 2007/0006) (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.

3. October 21, 2013-letter from MR. JORDAN HART, President of CHRIS HART AND PARTNERS offering to host site inspections of the following projects:
 - a. Community Plan Amendment and Change in Zoning for the proposed Maui Research and Technology Park (MRTP) Master Pkan Update located on 406 acres of land I at TMK: 2-2-024: 002 to 008, 009 (por.), 014 to 018, 032, 034, 036 to 044, 045(por.), 046 and 2-2-002: 084 (por), Kihei, Island of Maui. (CPA 2013/0001) (CIZ 2013/0002) (K. Wollenhaupt)
 - b. Community Plan Amendment and Change in Zoning for the proposed Puunene Heavy Industrial Subdivision located at TMK: 3-8-008: 019, Pulehunui, Island of Maui. (CPA 2012/0002) (CIZ 2012/0005) (K. Wollenhaupt)

The Commission to conduct site inspections of one or both sites and if so to select a date and time to conduct the site inspections.

4. Planning Commission Projects/Issues
 5. EA/EIS Report
 6. SMA Minor Permit Report
 7. SMA Exemptions Report
 8. Discussion of Future Maui Planning Commission Agendas
 - a. November 26, 2013 meeting agenda items
- G. NEXT REGULAR MEETING DATE: NOVEMBER 26, 2013
- 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 DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793. The deadline for filing a timely Petition to Intervene for an item where the first public hearing date is November 12, 2013 was on October 28, 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 (2) 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 DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE DEPARTMENT OF PLANNING AT 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1-800-272-0125 (Lanai) OR NOTIFY THE DEPARTMENT OF PLANNING IN WRITING AT ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, 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\111213.age)