

RECEIVED

PURSUANT TO CHAPTER 92, HAWAII REVISED STATUTES AS AMENDED, NOTICE IS HEREBY
GIVEN OF A REGULAR MEETING OF THE MAUI PLANNING COMMISSION 2014 JAN -3 AM 10: 22

AGENDA

OFFICE OF THE
COUNTY CLERK

DATE: JANUARY 14, 2014
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

- A. CALL TO ORDER
- B. PUBLIC TESTIMONY - At the discretion of the Chair, public testimony may also be taken when each agenda item is discussed, except for contested cases under Chapter 91, HRS. Individuals who cannot be present when the agenda item is discussed may testify at the beginning of the meeting instead and will not be allowed to testify again when the agenda item is discussed unless new or additional information will be offered.
- C. PUBLIC HEARING (Action to be taken after each public hearing item.)

- 1. MR. ROBERT P. HOLLAND requesting a Short-Term Rental Home (STRH) Permit in order to operate the Tropical Gardens Vacation Short-Term Rental Home, a three (3)-bedroom short-term rental home located on approximately 9,680 sq. ft. of land in the R-2 Residential District at 355 Kamano Place, TMK: 4-6-005: 034, Lahaina, Island of Maui. (STWM T2013/0012) (K. Wollenhaupt)

Planning Commission review is required because two or more written protests were received from owners or lessees or record of two or more lots adjacent to or directly across the street from the proposed short-term rental home within the 45-day timeframe.

- a. Public Hearing
- b. Action

- 2. MR. ALAN P. ZIMMERMAN of 33 Vallejo Hui, LLC requesting a Short-Term Rental Home (STRH) Permit to operate the Napili Kai Hale Short-Term Rental Home, a three (3)-bedroom short-term rental home located on approximately 10,000 sq. ft. of land in the R-3 Residential District at 33 Hui Road E, TMK: 4-3-015: 044, Napili, Island of Maui. (STWM T2013/0014) (K. Wollenhaupt)

Planning Commission review is required because an existing short-term rental home is operating within five hundred feet of the proposed short-term rental home lot and two or more written protests were received from owners or lessees or record of two or more lots adjacent to or directly across the street from the proposed short-term rental home within the 45-day timeframe.

- a. Public Hearing
- b. Action

D. NEW BUSINESS

1. MR. MIKE WHITE of KBHL, LLC requesting comments on the Draft Environmental Assessment (DEA) prepared in support of the Special Management Area Use Permit for the Plantation Inn Redevelopment Project to demolish the existing structures on parcels 36 and 44; consolidate Parcels 36, 38, and 44; construct a two (2)-story guest building with 14 rooms; create separate 9-stall and 14-stall parking lots with driveways; construct accessory hotel improvements, install landscape plantings, required infrastructure and utility systems at 174 Lahainaluna Street, TMK: 4-6-009: 036, 038, and 044, Lahaina, Island of Maui. (EA 2013/0002) (SM1 2013/0008) (C. Thackerson)

The entity who will decide on the acceptance of the Final Environmental Assessment is the Maui Planning Commission.

The EA trigger is the location of the subject property in the Lahaina National Historic Landmark District.

The public hearing on the Special Management Area (SMA) Use Permit will be conducted by the Maui Planning Commission after the Chapter 343 process has been completed.

The Commission may provide its comments on the Draft Environmental Assessment.

E. COMMUNICATIONS

1. MR. SCOTT CRAWFORD, Chair of the HANA ADVISORY COMMITTEE TO THE MAUI PLANNING COMMISSION transmitting the Committee's recommendation on the request by ANDREW and ROBIN RAYNER for a State Land Use Commission Special Use Permit in order to operate the Kalo Ohana Bed and Breakfast, a two (2) bedroom bed and breakfast located in the State Agricultural District at 120 Kalo Road, TMK: 1-3-009: 021, Hana, Island of Maui. (SUP2 2012/0027) (G. Flammer)

The Commission may take action on this request.

2. MR. SCOTT CRAWFORD, Chair of the HANA ADVISORY COMMITTEE TO THE MAUI PLANNING COMMISSION transmitting the Committee's recommendations on the requests by ROBERT HENRIKSON for a State Land Use Commission Special Use Permit and a Short-Term Rental Home Permit in order to operate the Hana Gardenland Short-Term Rental Home, a five (5) bedroom short-term rental home located in the State Agricultural District at 65 Kalo Road, TMK: 1-3-009: 027, Hana, Island of Maui. (SUP2 2013/0010) (STHA T2013/0001) (G. Flammer)

The short-term rental home permit application is being brought to the Maui Planning Commission for review and decisionmaking because the subject property is located in the Hana Community Plan region and the number of bedrooms proposed for short-term rental use is greater than three bedrooms.

The Commission may take action on these requests.

3. MR. J. SCOTT MEIDEL of HALEAKALA RANCH requesting a time extension on the State Land Use Commission Special Use Permit in order to construct and operate the Haleakala Ranch Visitors Center in the State Agricultural District on approximately 11.85 acres of land along Crater Road, TMK: 2-3-005: 004 (por.), Kula, Island of Maui. (SUP2 2004/0002) (D. Dias)

The Commission may take action on this request.

F. ACCEPTANCE OF THE ACTION MINUTES OF DECEMBER 10, 2013 MEETING

G. 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 requests administratively:

- a. MR. HIROSHI JOKE of ELLEAIR HAWAII, INC. requesting a two (2)-year time extension on the Special Management Area Use Permit condition to complete construction of the Maui Palms Hotel Redevelopment Project at TMK: 3-7-003: 007, Kahului, Island of Maui. (SM1 2001/0012) (G. Flammer)

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, notifying the Maui Planning Commission pursuant to Maui County Code Section 10.40.040D of his intent to process the following conditional permit amendment request administratively:

- a. MS. LINDA PAUL, AOA Secretary of the KAUIHALE MAKAI ASSOCIATION OF APARTMENT OWNERS requesting a non-substantive amendment to their permit to allow for expansion of lobby area where concierge services are provided for property situated at 938 South Kihei Road, TMK: 3-9-001: 075, Kihei, Island of Maui. (CP 2008/0001) (G. Flammer)

The Commission may decide whether to waive its review or take action at the meeting.

3. ISAAC HALL, attorney for JAMES BENDON, ROBERT and MARGARET KAPLAN; CYRUS MONROE; APRIL NIMS submitting a Notice of Withdrawal dated December 10, 2013 of APRIL NIMS on the following appeal:

ISAAC HALL, attorney for JAMES BENDON, ROBERT and MARGARET KAPLAN, CYRUS MONROE, APRIL NIMS and PETER SIRACUSA submitting an appeal dated September 20, 2013 of the issuance of an SMA Exemption for the milling and resurfacing of Runway 2-20 at the Kahului Airport at 1 Kahului Airport Road, TMK: 3-8-001: 019, Kahului, Island of Maui (APPL 2013/0008) (SM5 2013/0189) (SMX 2013/0324) (P. Fasi)

This is for notification purposes.

4. 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:

ISAAC HALL, attorney for JAMES BENDON, ROBERT and MARGARET KAPLAN, CYRUS MONROE, and PETER SIRACUSA submitting an appeal dated December 19, 2013 of the issuance of an SMA Exemption for the milling and resurfacing of Runway 2-20 at the Kahului Airport at 1 Kahului Airport Road, TMK: 3-8-001: 019, Kahului, Island of Maui (APPL 2013/0012) (SM5 2013/0350) (SMX 2013/0324) (P. Fasi)

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

5. Designation of the Hana Advisory Committee to the Maui Planning Commission to conduct the public hearing and make recommendations on the subject application:
 - a. GALE and MICHELE NOTESTONE requesting a Bed and Breakfast Permit in order to operate the Hana by the Bay Bed and Breakfast, a three (3) bedroom bed and breakfast home (B&B) located at 4888 Uakea Road, TMK: 1-4-014: 005, Hana, Island of Maui. (BBHA T2013/0002) (G. Flammer)

Planning Commission review is required because there is another permitted bed and breakfast operation located within 500 feet of the subject property.

6. EA/EIS Report
 - a. Review and comments on the Draft Environmental Assessment (DEA) prepared in support of the following applications scheduled for the January 28, 2014 meeting:

MR. JAMES P. ARGYROPOULOS requesting a Special Management Area Use Permit, and a Shoreline Setback Variance for the Argyropoulos Shoreline Setback Mitigation to remove the existing remnant seawall/ debris along the shoreline and construction of a hybrid revetment/seawall to mitigate the severe erosion fronting the project site at 475 Hana Highway, TMK: 2-6-009: 005, Kuau, Island of Maui.(J. Buika)

7. SMA Minor Permit Report (Appendix A)
 8. SMA Exemptions Report (Appendix B)
 9. Discussion of Future Maui Planning Commission Agendas
 - a. January 28, 2014 meeting agenda items
- H. NEXT REGULAR MEETING DATE: JANUARY 28, 2014
- I. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE COMMISSION TO CONSULT WITH THEIR ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE COMMISSION'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES PURSUANT TO SEC. 92-5(a)(4), HRS.

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 January 14, 2014 was on December 30, 2013.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE. IN ACCORDANCE WITH THESE RULES MAXIMUM TIME LIMITS OF AT LEAST THREE MINUTES MAY BE ESTABLISHED BY THE COMMISSION ON INDIVIDUAL TESTIMONY.

WRITTEN TESTIMONY REQUESTED 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.

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.

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.

Maui Planning Commission Agenda

January 14, 2014

Page 6

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 COMMISSION.

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\011414.age)



County of Maui
 Kalana O Maui Building
 200 South High Street,
 Wailuku, HI 96793-2155

PD-Approved SMA Minor Projects for Maui

12/24/2013

Permit Completion Date: 11/25/2013 - 12/24/2013

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20130140	NGUYEN DEMO	NGUYEN DEMO	DEMO DWELLING (ATF)/WAIEHU	MARC A TARON	DIAS	12/04/2013	A W/COND-APPROVED WITH CONDITIONS	2340280600000
SM2 - 20130141	FABMAC HOMES	FABMAC HOMES	TEMP FOUNDATION/POST & PIER - KAHULUI	FABMAC HOMES INC	THACKERSON	12/13/2013	A W/COND-APPROVED WITH CONDITIONS	2370020010000
SM2 - 20130143	MECO	MAUI ELECTRIC COMPANY	KIHEI B E.S.S. DEMO PROJECT/KIHEI	H NU SOLAR LLC	FASI	12/17/2013	A W/COND-APPROVED WITH CONDITIONS	2390021250000
SM2 - 20130144	MOURIER, LAURA & JOH	MOURIER, LAURA & JOHN	2 WOOD TRELLISES/LAHAINA	JOHN MOURIER, III	THACKERSON	12/18/2013	A W/COND-APPROVED WITH CONDITIONS	2460030130000
SM2 - 20130145	ISLAND ACQUISITIONS	ISLAND ACQUISITIONS KAPALUA LLC	PROPERTY IMPROVEMENT/KAPALUA	LANTERN ASSET MANAGEMENT	WOLLENHAUPT	12/18/2013	A W/COND-APPROVED WITH CONDITIONS	2420040270000

Grand Total : 5

Appendix A

PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 11/25/2013 - 12/24/2013



County of Maui
Kalana O Maui Building
200 South High Street,
Wailuku, HI 96793-2155

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20130336	KEKUMU, HORACE/JULIE	MAIN DWELLING ALTERATION-AT/LAHAINA	HORACE J K AND JULIE KEKUMU		11/25/2013	A-APPROVED	2430170610000
SM5 - 20130337	SPARKS TRUST	ADDITION TO MAIN DWELLING/PAIA	ILIMA SMALLWOOD		11/26/2013	A-APPROVED	2250130800000
SM5 - 20130338	TORTUGAS RESTAURANT	TORTUGAS RESTAURANT	JIM TUCKER	CABAIS	12/20/2013	A-APPROVED	2370090040000
SM5 - 20130339	ABC STORES NO 60	THREE COMPARTMENT SINK/LAHAINA	DARIN FUKUNAGA	THACKERSON	11/26/2013	A-APPROVED	245000200900000
SM5 - 20130340	BROCKSOME, BRENT	MAIN DWELLING/SWIMMING POOL/R. WALL/WAILE	MARC A TARON	HIGA	12/02/2013	A-APPROVED	2210250340000
SM5 - 20130341	BOLSINGER, BRIEN	APARTMENT REPAIR: APT #22/LAHAINA	AUSTIN SLOAT, AIA	CORTEZ	12/03/2013	A-APPROVED	2420010300006
SM5 - 20130342	ENGLE, MICHAEL	APARTMENT REPAIR: APT #24/LAHAINA	AUSTIN SLOAT, AIA	CORTEZ	12/03/2013	A-APPROVED	2420010300008
SM5 - 20130343	AMERICAS MATTRESS	RETAIL ALTERATION-UNIT 100/101A/KAHULUI	JOHN K. RITCHEY	AZBILL	12/04/2013	A-APPROVED	2380790010000
SM5 - 20130344	ROSALES, KATHREN	MAIN DWELLING/WAILUKU	AARON & KATHREN ROSALES	THACKERSON	12/04/2013	A-APPROVED	2320200600000
SM5 - 20130345	SEASONAL SPACE F-1	SEASONAL SPACE F-1 TENANT IMPROVEMENTS/L	HONOLULU BUILDERS LLC	THACKERSON	12/06/2013	A-APPROVED	245000200900000
SM5 - 20130346	ISLAND SURF	ROOFTOP TELECOM FACILITY UPGRADE/KIHEI	CASCADIA PM	AZBILL	12/04/2013	A-APPROVED	2390030010000
SM5 - 20130347	NELSON, DON	KEALIA BEACH SUBDIVISION/KIHEI	NELLIE'S ON MAUI	DIAS	12/06/2013	A-APPROVED	2380130120000
SM5 - 20130348	AMERICAN PROMO EVENT	TEMP. STRUCTURE 4 FIREWORKS SALE/KAHULUI	AMERICAN PROMOTIONAL EVENTS		12/05/2013	A-APPROVED	2370020200000
SM5 - 20130349	TNT FIREWORKS	TEMP STRUCTURE /KIHEI	PROMOTIONAL EVENTS		12/05/2013	A-APPROVED	2390080280000
SM5 - 20130350	KAHULUI AIRPORT	REPAIR MILL/REPLACE ASPHALT RUNWAY/KAHUL	HAWAII DOT, AIRPORTS DIVISION	FASI	12/05/2013	A-APPROVED	23800010190000
SM5 - 20130352	WHITE, WILLIAM	APT ALTERATION-CEILING REPLACMNT/LAHAINA	MICHAEL E. EILERS	CALLENTINE	12/09/2013	A-APPROVED	2440080020301
SM5 - 20130353	HONUJA KAI RESORT	KONEA BELL CLOSET RENOVATION/LAHAINA	VIKING CONSTRUCTION INC	CALLENTINE	12/09/2013	A-APPROVED	2440140060000
SM5 - 20130354	CAR SHOW	SWIMMING POOL, SPA/HAIKU	MIKE PENN	CABAIS	12/06/2013	A-APPROVED	2370070090000
SM5 - 20130355	MOULTON, SUSAN	ROOF TOP TELECOM FACILITY/KAANAPALI	POOL PRO, INC.		12/09/2013	A-APPROVED	2280030020000
SM5 - 20130357	SPRINT KAAN ASTON	ROOF TOP TELECOM FACILITY/KAANAPALI	CASCADIA PM	CORTEZ	12/10/2013	A-APPROVED	2440010970000

Appendix B

PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 11/25/2013 - 12/24/2013



County of Maui
Kaunaoa O Maui Building
200 South High Street,
Wailuku, HI 96793-2155

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20130358	CHEWEY, BOB / KATHY	NEW SWIMMING POOL/KIHEI	JOHN J. FOTI	AZBILL	12/10/2013	A-APPROVED	2390300530000
SM5 - 20130359	VINES, TODD/KRISTIN	SWIMMING POOL/SPA/MODIFY LANAI / KIHEI	RICKY J MCGOVERN	AZBILL	12/10/2013	A-APPROVED	2390570090000
SM5 - 20130360	O C INVESTMENT LLC	MAIN DWELLING/WAILEA	NICK WAGNER		12/10/2013	A-APPROVED	2210240250000
SM5 - 20130361	FERRIS, JOHN/MISTY	APT ALTERATION: UNIT #410/MAALAEA	J. MATT & MISTY FERRIS		12/11/2013	A-APPROVED	2380140040070
SM5 - 20130362	SUPERCUTS	SALON ALTERATION - UNIT B-2B/KAHULUI	MICHELLE COCKETT	AZBILL	12/11/2013	A-APPROVED	2370090040000
SM5 - 20130363	KIHEI BEACH CONDOMINIUM	KIHEI BEACH DONDOMINIUM	KIHEI BEACH CONDOMINIUM AOO	CORTEZ	12/12/2013	A-APPROVED	2380130030000
SM5 - 20130364	STATE FARM	UNIT 106 TENANT IMPROVEMENT/KIHEI	RAPHAEL ESCOBAR		12/12/2013	A-APPROVED	2390020280000
SM5 - 20130365	HENDERSON, CLINTON	SWIMMING POOL/LAHAINA	ATOM KASPRZYCKI	AZBILL	12/13/2013	A-APPROVED	2460050420000
SM5 - 20130366	GRATIAE	TENANT IMPROVEMENT UNIT 3C/LAHAINA	DKKY ARCHITECTURE STUDIO, INC.	WADE	12/16/2013	A-APPROVED	2460090080000
SM5 - 20130367	RESIDENCES @ KAPALUA	REPAIRS STORAGE AREA, LANAIS/LAHAINA	MONTAGE HOTELS AND RESORTS	WOLLENHAUF	12/19/2013	A-APPROVED	2420040270000
SM5 - 20130368	ISLAND ACQUISITIONS	PROPERTY IMPROVEMENT/KAPALUA	LANTERN ASSET MANAGEMENT	WOLLENHAUF	12/18/2013	DONE-DONE	2420040270000
SM5 - 20130369	MAHANA AT KAA NAPALI	EXTERIOR PAINTING/KAA NAPALI	STRUCTURAL CONCRETE BONDING & RESTORATION	FASI	12/20/2013	A-APPROVED	2440010990000
SM5 - 20130370	BROWN, IRVING	SWIMMING POOL/KIHEI	RICKY J MCGOVERN	HIGA	12/23/2013	A-APPROVED	2390150330000
SM5 - 20130371	FRYE, MARY JO	MAIN DWELLING ADDITION/ALTER/KIHEI	LEONE, MICHAEL	HIGA	12/23/2013	A-APPROVED	2390150200000

Grand Total : 34