

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

AGENDA

DATE: FEBRUARY 11, 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. WILLIAM AILA, JR., Director, STATE DEPARTMENT OF LAND AND NATURAL RESOURCES requesting a County Special Use Permit for the Central Maui Regional Park Project to construct a public park with related improvements on 65 acres of land located in the County Agricultural District west of Mile Marker 3 on Kuihelani Highway, TMK: 3-8-007: 101, Kahului, Island of Maui. (CUP 2013/0005) (P. Fasi)

Matter has been rescheduled to the March 25, 2014 Maui Planning Commission due to notification error by the Applicant. This matter will be renoticed. No action will be taken at the February 11, 2014 meeting.
 - 2. MR. TOMMY NAKAMOTO on behalf of the MAUI FULL GOSPEL KOREAN CHURCH requesting a County Special Use Permit to operate the Maui Full Gospel Church including the construction of an approximately thirty-one (31) stall parking lot with landscaping on approximately 11,250 square feet of land in the R-3 Residential District located at 382 and 390 Kanaloa Avenue, TMK: 3-8-025: 008 and 009, Kahului, Island of Maui. (CUP 2009/0004) (SMX 2009/0366) (C. Thackerson)
 - a. Public Hearing
 - b. Action
 - 3. MS. LISA PESTANA requesting a State Land Use Commission Special Use Permit in order to operate the Maui Olinda Forest Reserve Short-Term Rental Home (STRH) in the State Agricultural District on approximately 5.4 acres of land located at 1939 Piihola Road, TMK: 2-4-013: 047, Makawao, Island of Maui. (SUP2 2013/00025) (K. Wollenhaupt)

- a. Public Hearing
- b. Action

4. TROY and DIANNA NIELSEN requesting a Bed and Breakfast Home Permit in order to operate the South Maui Hideaway Bed and Breakfast (B&B) in the County Rural District on approximately 23,261 square feet of land located at 442 Kupulau Drive, TMK: 2-1-014: 021, Kihei, Island of Maui. (BBKM T2013/0002) (K. Wollenhaupt)

This bed and breakfast home application is being referred to the Maui Planning Commission for review and action because the property is located within 500 ft. of a previously permitted bed and breakfast home operation.

- a. Public Hearing
- b. Action

D. ADOPTION OF WRITTEN DECISION AND ORDERS ON ACTIONS TAKEN AT THE DECEMBER 10, 2013 MAUI PLANNING COMMISSION MEETING

1. Proposed Order submitted on January 9, 2014 by PETER A. HOROVITZ and KRISTINE TSUKIYAMA of MERCHANT HOROVITZ, LLLC, attorneys for Applicant ROCK & BREWS PAIA, LLC granting Applicant ROCK & BREWS PAIA, LLC'S Motion to consolidate the following appeals:

- 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 July 19, 2013 of the SMA Minor Permit and Country Town Business (CTB) approval issued by the Planning Director for renovations and refurbishment to an existing building and the Mercantile building (Rock and Brews) at 120 Hana Highway, TMK: 2-6-005: 033, Paia, Island of Maui. (SM2 2013/0069) (SMX 2012/0414) (CTB 2013/0003) (APPL 2013/0005) (E. Wade)

The Commission and public were notified of this appeal through the August 13, 2013 Maui Planning Commission agenda.

- b. 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) (APPL 2013/0010) (E. Wade)

The Commission and the public were notified of this appeal through the November 12, 2013 Maui Planning Commission agenda.

The Commission may take action to adopt the proposed Order as the Commission's Order, adopt the proposed Order as the Commission's Order with modifications or take some other action.

2. Proposed Findings of Fact, Conclusions of Law, Decision and Order submitted by PETER A. HOROVITZ and KRISTINE TSUKIYAMA of MERCHANT HOROVITZ LLLC, attorneys for Applicant ROCK & BREWS PAIA granting ROCK & BREWS PAIA, LLC's Motion to Dismiss or in the Alternative for Summary Judgement regarding the following consolidated 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 July 19, 2013 of the SMA Minor Permit and Country Town Business (CTB) approval issued by the Planning Director for renovations and refurbishment to an existing building and the Mercantile building (Rock and Brews) at 120 Hana Highway, TMK: 2-6-005: 033, Paia, Island of Maui. (SM2 2013/0069) (SMX 2012/0414) (CTB 2013/0003) (APPL 2013/0005) (E. Wade)

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The Commission and the public were notified of this appeal through the November 12, 2013 Maui Planning Commission agenda.

The Commission may take action to adopt the proposed Findings of Fact, Conclusions of Law, and Decision and Order as the Commission's Findings of Fact, Conclusions of Law, and Order; adopt the proposed Findings of Fact, Conclusions of Law, and Decision and Order with modifications as the Commission's Findings of Fact, Conclusions of Law, and Decision and Order; or take some other action.

- E. ACCEPTANCE OF ACTION MINUTES OF THE JANUARY 28, 2014 MEETING AND REGULAR MINUTES OF THE NOVEMBER 12, 2013 AND DECEMBER 10, 2013 MEETINGS

F. DIRECTOR'S REPORT

1. SMA Minor Permit Report (Appendix A)
2. SMA Exemptions Report (Appendix B)
3. Discussion of Future Maui Planning Commission Agendas
 - a. February 25, 2014 meeting agenda items

G. NEXT REGULAR MEETING DATE: FEBRUARY 25, 2014

H. 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 28, 2014 was on January 28, 2014.

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.

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 ENSURE 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\021114.age)



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

PD-Approved SMA Minor Projects for Maui

01/29/2014

Permit Completion Date: 01/15/2014 - 01/29/2014

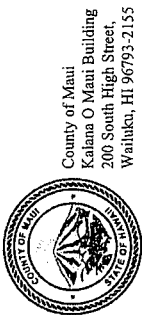
Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
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Grand Total : 0

APPENDIX A

PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 01/15/2014 - 01/29/2014



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

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20140016	KAUHALE MAKAI A OAO	SMA APP/ANTENNAS/CABINET/EQUIP BLDG-KIHEI	CASCADIA PM		01/15/2014	A-APPROVED	2390010750000
SM5 - 20140017	LUPER, GARY	NEW ROOF/RESIDENCE - KIHEI	WENDELL CORPUZ		01/15/2014	A-APPROVED	2390050170006
SM5 - 20140018	NGUYEN, JENNIFER	REPLACEMENT DWELLING, GARAGE/WAIEHU	MARC A TARON	BUIKA	01/15/2014	A-APPROVED	2340280600000
SM5 - 20140019	MILLAN, BASIL	OFFICE/STORAGE - HAIKU	BASIL MILLAN		01/16/2014	A-APPROVED	2280040970000
SM5 - 20140020	MEDISPA MAUI	MEDICAL CLINIC/OFFICE - KIHEI	OCEAN PARADISE BUILDERS LLC		01/17/2014	A-APPROVED	2390510010000
SM5 - 20140021	NORTH BEACH SUBDIVIS	CONSOLIDATE PARCELS/TRANS. TITLE/LAHAINA	STEVE SEWALL/HONUA KAI RESORT	PRUTCH	01/22/2014	A-APPROVED	2440010100000
SM5 - 20140022	MAUI HYATT TIMESHARE	SALES STAFF BREAK ROOM / SPACE 10	TOM YOUNG		01/17/2014	A-APPROVED	2440130080000
SM5 - 20140023	FECAROTTA, MARK	MAIN DWELLING/ADDITION/ALTERATION-KIHEI	FECAROTTA, MARK R		01/21/2014	A-APPROVED	2390320220000
SM5 - 20140024	BA-LE WAREHOUSE	PAINTING & REPAIR OUTSIDE BLDG/KAHULUI	HUNG LE	THACKERSON	01/21/2014	A-APPROVED	2370050120000
SM5 - 20140025	EASY CASH SOLUTIONS	TENANT IMPROVEMENTS/LAHAINA	CYNTHIA DAWSON	THACKERSON	01/22/2014	A-APPROVED	2450010180000
SM5 - 20140026	KNOWLEY	KNOWLEY	LARS BERTELSEN	HIGA	01/23/2014	A-APPROVED	2430030200001
SM5 - 20140027	WINNERT, CAROL	APT UNIT 5-C/ INTERIOR RENOVATION/WAILEA	CAROL WINNERT	AZBILL	01/24/2014	A-APPROVED	2210080640025
SM5 - 20140028	CARTER RENOVATIONS	REMODEL SHOWER-LAUNDRY/KIHEI	STEVE CARTER	SCOTT	01/27/2014	A-APPROVED	2390041340050
SM5 - 20140029	GRAND WAILEA	TENTS FOR EVENT ON 2/14 - 28/14 WAILEA	RIECKE SUNNLAND KONO ARCHITECTS, LTD	AZBILL	01/28/2014	A-APPROVED	2210081090000

Grand Total : 14