

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

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AGENDA

OFFICE OF THE
COUNTY CLERK

DATE: MAY 13, 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), John "Keone" Ball (Vice-Chair), Sandra Duvauchelle, Jack Freitas,
Wayne Hedani, Richard Higashi, 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 HEARINGS (Action to be taken after each public hearing.)

1. MR. WILLIAM SPENCE, Planning Director, transmitting a proposed bill amending Section 19.65.080.D of the Short-Term Rental Home ordinance in the Maui County Code concerning Enforcement to be consistent with the Maui County Code Enforcement provisions in Section 19.530 and to ensure appropriate due process. (J. Alueta)

- a. Public Hearing
- b. Action

2. MR. GREGORY W. SCHNEIDER of GENESSEE CAPITAL requesting a two (2) year time extension on the Special Management Use Permit condition to initiate construction of the Maui Lu Redevelopment Project and related improvements at 575 South Kihei Road, TMK: 3-9-001: 083, 086, and 120 (27.282 acres), Kihei, Island of Maui. (SM1 2003/0021) (A. Cua)

- a. Public Hearing
- b. Action

D. UNFINISHED BUSINESS

1. 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) (Public hearing conducted and matter deferred at the February 11, 2014 meeting.)

The Commission may take action on this request.

E. COMMUNICATIONS

1. MR. ROBERT P. HOLLAND requesting reconsideration/ Notice of Motion to Rescind by letter dated April 6, 2014 of the Short-Term Rental Home Permit January 14, 2014 denial action by the Maui Planning Commission to operate the Tropical Gardens Vacation Rental Home, a three (3) bedroom short-term rental home located on 9,600 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)

*An Executive Session may be called on this item 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.

The Commission may decide if at least one Commissioner is willing to make a Motion to Rescind their denial action at a future date certain meeting.

F. ORIENTATION WORKSHOP NO. 2

1. County's Policy Against Sexual Harassment
2. The Planning Framework
3. Long Range Planning Division
4. Zoning
5. Bed and Breakfasts and Short-Term Rental Homes Permitting
6. Environmental Assessments (EA) and Environmental Impact Statements (EIS) Chapter 343, HRS
7. Flood Hazard Districts
8. Sunshine Law
9. Ethics
10. Legal Issues

G. ACCEPTANCE OF THE ACTION MINUTES OF THE APRIL 22, 2014 MEETING AND REGULAR MINUTES OF THE JANUARY 14, 2014 AND FEBRUARY 11, 2014 MEETINGS

H. 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) PACIFIC WAREHOUSE, INC. requesting a two (2)-year time extension on the period to initiate construction of the Kihei Town Center Expansion and Renovations at TMK: 3-9-003: 012, Kihei, Island of Maui. (SM1 2008/0014) (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. SMA Minor Permit Report (Appendix A)
 3. SMA Exemption Report (Appendix B)
 4. Discussion of Future Maui Planning Commission Agendas
 - a. May 27, 2014 meeting agenda items
- K. NEXT REGULAR MEETING DATE: MAY 27, 2014
- L. 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 on May 13, 2014 was on April 29, 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.

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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\051314.age)



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

PD-Approved SMA Minor Projects for Maui

04/30/2014

Permit Completion Date: 04/09/2014 - 04/30/2014

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20140029	COM BUS STOPS	COUNTY OF MAUI BUS STOPS PHASE 3	INSTALL BUS STOP IMPROVEMENTS/NAPIILI	COM DEPT OF TRANSPORTATION	SCOTT	04/09/2014	A W/COND-APPROVED WITH CONDITIONS	2430020610000 2430160250000
SM2 - 20140031	MAKENA RESORT NORTH	MAKENA RESORT NORTH GOLF COURSE	INSTALL DEER FENCING ETC./MAKENA	ATC MAKENA SERVICES, LLC	DIAS	04/14/2014	A W/COND-APPROVED WITH CONDITIONS	2210051080000
SM2 - 20140032	BOONSTRA-BARBIER, S	BOONSTRA-BARBIER, SHERRY - VISITOR INFORMATION BUILDING	RE-ROOF VISITOR INFO BLDG/LAHAINA	SHERRY BOONSTRA-BARBIER	WADE	04/14/2014	A W/COND-APPROVED WITH CONDITIONS	2460100100000
SM2 - 20140033	COM BUS STOP/HONOKOW	COM BUS STOPS IMPROVEMENTS PHASE 3/HONOKOWAI	BUS STOPS IMPROVEMENTS/HONOKOWAI	COUNTY OF MAUI	SCOTT	04/16/2014	A W/COND-APPROVED WITH CONDITIONS	2440010140000
SM2 - 20140034	LOT 5 VIEW PLATTFORM	LOT 5 VIEW PLATTFORM	LOT 5 VIEW PLATTFORM/KIHEI	RANDALL ENDO	SCOTT	04/17/2014	A W/COND-APPROVED WITH CONDITIONS	2210081280000
SM2 - 20140035	HI2 NORTH KIHEI	HI2 NORTH KIHEI (SUGAR BEACH)	REPLACE ROOFTOP ANTENNA/SKIHEI	VERIZON WIRELESS	SCOTT	04/17/2014	A W/COND-APPROVED WITH CONDITIONS	2380130140000
SM2 - 20140036	MANA KAI 5 PALMS	MANA KAI - 5 PALMS SLAB	CONCRETE SLAB/KIHEI	RICK MCGOVERN	THACKERSON	04/17/2014	A W/COND-APPROVED WITH CONDITIONS	2390040230020
SM2 - 20140037	STEVENSON APARTMENT	APARTMENT ALTERATIONS	STEVENSON APARTMENT ALTERATIONS	STEPHEN TAPP	SCOTT	04/22/2014	A W/COND-APPROVED WITH CONDITIONS	2460330080000
SM2 - 20140038	DUKES BEACH HOUSE	DUKES BEACH HOUSE RESTAURANT	ADD WALK IN COOLER/LAHAINA	TS RESTAURANTS	THACKERSON	04/26/2014	A W/COND-APPROVED WITH CONDITIONS	2440140060710
SM2 - 20140040	LAY FAMILY LLC	LAY FAMILY, LLC	APT. ALTERATION/LAHAINA	MICHELLE COCKETT	SCOTT	04/28/2014	A W/COND-APPROVED WITH CONDITIONS	2430100040002
SM2 - 20140041	MEDINA, DAVID & CATH	MEDINA, DAVID & CATHERINE	REMODEL KITCHEN & BATHROOM/LAHAINA	DAVID & CATHY MEDINA		04/29/2014	A W/COND-APPROVED WITH CONDITIONS	2460280120000

Grand Total : 11

APPENDIX A

PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 04/09/2014 - 04/30/2014



County of Maui
Kalana O Maui Building
200 South High Street,
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Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20120316	CLASSIC CAR SHOW	BENEFIT CAR SHOW FOR BB & BS/KIHEI	PEGGY SUE'S	CABAIS	04/11/2014	A-APPROVED	2390020280000
SM5 - 20130010	MANA FOODS	DEMOLITION OF STRUCTURE - OVER 50	EDWARD D THIELK REVOCABLE TRUST	CABAIS	04/11/2014	A-APPROVED	2260050020000
SM5 - 20130351	JOINER, SANDRA	SWIMMING POOL/KIHEI	RICKY J MCGOVERN	CABAIS	04/09/2014	A-APPROVED	2390530110000
SM5 - 20140090	SPEE, DAVID	INSTALL WATER WELL/PAIA	ALPHA INC.	AZBILL	04/11/2014	A-APPROVED	2250050630000
SM5 - 20140093	CHARLOTTE RUSSE	ALT. RETAIL SPACE: UNIT 1044/QKCTR./KAH	CHARLOTTE RUSSE, INC.	CABAIS	04/09/2014	A-APPROVED	2370020200000
SM5 - 20140095	KIHEI PLAZA	INSTALL ON-SITE SEWER MANHOLE/KIHEI	WAYNE ARAKAKI ENGINEER LLC	CABAIS	04/09/2014	A-APPROVED	2390020830000
SM5 - 20140099	ROASTED CHILES	RESTAURANT ALTERATION - UNIT 122/KIHEI	ROASTED CHILES, LLC	CABAIS	04/09/2014	A-APPROVED	2390020280000
SM5 - 20140105	SURACE, KEVIN	APARTMENT ALTERATION/KAANAPALI	JAMES C. PENKA	SCOTT	04/10/2014	A-APPROVED	2440080020087
SM5 - 20140110	AZEKA I	INSTALL ON-SITE MANHOLE/KIHEI	WAYNE ARAKAKI ENGINEER LLC	AZBILL	04/09/2014	A-APPROVED	2390080280000
SM5 - 20140112	LEONARD WILKE	STORAGE LOFT/LAHAINA	LOKELANI CONSTRUCTION	SCOTT	04/09/2014	A-APPROVED	2460330180000
SM5 - 20140113	AZEKA II	INSTALL ON-SITE MANHOLE/KIHEI	WAYNE I. ARAKAKI ENGINEER LLC	WAYNE I. ARAKAKI ENGINEER LLC	04/09/2014	A-APPROVED	2390020280000
SM5 - 20140114	MILLER, GUY	NEW RESIDENCE & OHANA DWELLINGS/KIHEI	GUY MILLER	GUY MILLER	04/09/2014	A-APPROVED	2390400850000
SM5 - 20140115	FRIEDLANDER, ROBERT	2ND FARM DWELLING, COVERED LANA/HAIKU	ROBERT/JENNIFER FRIEDLANDER TRUST	ROBERT/JENNIFER FRIEDLANDER TRUST	04/09/2014	A-APPROVED	2290050690000
SM5 - 20140116	HALL RESIDENC MAKENA	HALL RESIDENCE	SHARON WRIGHT	BUIKA	04/09/2014	A-APPROVED	2210070960001
SM5 - 20140117	JOHN SEIDEL	REPLACE DOORS/WINDOWS/TILE - LAHAINA	JOHN SEIDEL	SCOTT	04/11/2014	A-APPROVED	2460320080000
SM5 - 20140118	CANUEL, KATHERINE	MAIN DWELLING ADDITION - ATF/KIHEI	KATHERINE CANUEL	HIGA	04/11/2014	A-APPROVED	2390340130000
SM5 - 20140119	ZUMIEZ	TENANT IMPROVEMENTS/QKCTR - KAHULUI	JAN C. RUSSELL	AZBILL	04/11/2014	A-APPROVED	2370020200000
SM5 - 20140121	NAPILI KAI RESORT	HOTEL ALTERATIONS: BUILDING 2/LAHAINA	NELSON, GREG	SCOTT	04/14/2014	A-APPROVED	2430020290000
SM5 - 20140122	COM BUS STOP/HONOKOW	BUS STOPS IMPROVEMENTS/HONOKOWAI	COUNTY OF MAUI	SCOTT	04/16/2014	A-APPROVED	2440010140000
SM5 - 20140123	SARICH, PAULA & MICH	SWIMMING POOL	FOTI, JOHN	FOTI, JOHN	04/16/2014	A-APPROVED	2390130610000

* = Shoreline Projects
closedsm5x

PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 04/09/2014 - 04/30/2014



County of Maui
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Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20140124	AZEKA SHOPPING CTR.	REPLACE GROUND SIGN/KIHEI	RONIN PROPERTIES, LLC	MIKOLAY	04/16/2014	A-APPROVED	2390080280000
SM5 - 20140125	BASKERVILLE, RAYMOND	MAIN DWELLING ADDITION/DECK - PAIA	RAYMOND BASKERVILLE	HIGA	04/21/2014	A-APPROVED	2260051170000
SM5 - 20140126	DA VENPORT, STEPHEN	DWELLING, GARAGE/WAILEA	DOUG RUPPENTHAL	AZBILL	04/22/2014	A-APPROVED	2210260340000
SM5 - 20140127	HAZLET RESIDENCE	ADDING BAY WINDOW/LAHAINA	BRANDEN HAZLET		04/23/2014	A-APPROVED	2480040030000
SM5 - 20140128	STEWART, BETTY	INTERIOR REPAIRS/KIHEI	NICK WAGNER		04/23/2014	A-APPROVED	2390040840160
SM5 - 20140129	SANCHEZ, SCOTT/RHOND	SMA APP/UTILITYROOM/HAIKU	SANCHEZ, SCOTT & RHONDA	WAIKIKI	04/24/2014	A-APPROVED	2270040460000
SM5 - 20140130	BLEECHER, BARRY	MAIN DWELL. ADDITION/ALTERATION/LAHAINA	ATOM KAPRRZYCKI	HIGA	04/25/2014	A-APPROVED	2430160300000
SM5 - 20140131	WISHART, DON & WENDY	CONSTRUCT SWIMMING POOL/KIHEI	DON & WENDY WISHORT	HIGA	04/25/2014	A-APPROVED	2390501090000
SM5 - 20140132	HAGAN, DOUGLAS	MAIN DWELLING ALTERATION - ATF/PAIA	DOUGLAS JAMES HAGAN		04/25/2014	A-APPROVED	2260051290000
SM5 - 20140133	MC & A	TEMP TENTS - 2014/MACC - KAHULUI	M C & A, INC.	AZBILL	04/29/2014	A-APPROVED	2380070010000

Grand Total : 30