

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

AGENDA

DATE: JUNE 24, 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. STANFORD CARR DEVELOPMENT, LLC on behalf of the HARRY and JEANETTE WEINBERG FOUNDATION, INC. requesting a Special Management Area Use Permit for the development of the proposed Kahoma Village Project 201-H Project and related improvement located on approximately 21.4 acres on the northeast corner of Front Street and Kenui Street at TMK: 4-5-008: 001, Lahaina, Island of Maui. (SM1 2012/0007) (D. Dias)

The proposed Project will provide a total of 203 residential units of which 101 will be single family dwellings and 102 will be multi-family units. The 102 multi-family units shall be residential workforce housing units. Park space is also contemplated within the project.

- a. Public Hearing
- b. Action

2. GENERAL GROWTH PROPERTIES, INC. requesting a Special Management Area Use Permit for the renovation of Whalers Village with improvements to common area, internal access entryways and driveways and the net addition of 15,400 square feet of gross leasable areas for shops and restaurants and other related improvements on property situated at 2435 Kaanapali Parkway, TMK: 4-4-008: 001, Kaanapali, Lahaina, Island of Maui. (SM1 2013/0018) (SSA 2013/0064) (K. Wollenhaupt)

- a. Public Hearing
- b. Action

3. MR. TIMOTHY JOHN HEHEMAN of HE-MAN SERVICES requesting a State Land Use Commission Special Use Permit and a Conditional Permit to operated a commercial landscaping baseyard in the State Agricultural District at 4260 Hine Way, TMK: 4-3-010: 028, Lahaina, Island of Maui. (SUP2 2013/0020) (CP 2013/0003) (P. Fasi)
 - a. Public Hearing
 - b. Action

4. DENNIS and CYNTHIA HUDSON requesting a Bed and Breakfast Permit in order to operate the Maui Hale Olina Bed and Breakfast, a one bedroom bed and breakfast located in the Rural District, Maui Meadows at 631 Kumulani Drive, TMK: 2-1-018: 078, Kihei, Island of Maui. (BBKM T2013/0004) (L. Callentine)

This application is being brought to the Maui Planning Commission as there is at least one permitted Bed and Breakfast operation located within 500 feet of the subject property.

- a. Public Hearing
- b. Action

D. COMMUNICATIONS

1. MS. MICHELE LINCOLN, President of the PROTECT AND PRESERVE KAHOMA AHUPUAA ASSOCIATION (PPK-AA) submitting a Petition to Intervene dated June 5, 2014 on the request by STANFORD CARR DEVELOPMENT, LLC on behalf of the HARRY and JEANETTE WEINBERG FOUNDATION, INC. for a Special Management Area Use Permit for the development of the proposed Kahoma Village Project 201-H Project and related improvement located on approximately 21.4 acres on the northeast corner of Front Street and Kenui Street at TMK: 4-5-008: 001, Lahaina, Island of Maui. (SM1 2012/0007) (D. Dias)

Ms. Lincoln is submitting a Petition to Intervene on behalf of herself as President of PPK-AA and PPK-AA members MARK and LINDA ALLEN, PATRICK and NAOMI GUTH, and CONSTANCE B. SUTHERLAND.

- a. The Commission may take action on the intervention request.

*** 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.**

- b. If the Commission grants the intervention request, the Commission may choose to act on the following matters:

- 1) Selection of the hearings body/ Hearings Officer
- 2) Selection of the Mediator
- 3) Selection of the member of the Commission to preside at the prehearing conference(s) if the Commission is the hearings body.

If intervention is granted, the parties at that point the parties would be:

- 1) Protect and Preserve Kahoma Ahupuaa Association (Intervenor)
- 2) Stanford Carr Development, LLC on behalf of the Harry and Jeanette Weinberg Foundation, Inc. (Applicant)
- 3) Maui County Planning Department per Maui Planning Commission Rules of Practice and Procedure

E. UNFINISHED BUSINESS

1. MS. PAULA DAIAN requesting a Short-Term Rental Home Permit in order to operate the Marlin House Short-Term Rental Home located in the R-1 Residential District at 165 Maoli Place, TMK: 2-6-065: 061, Paia, Island of Maui. (STPH T2013/0018) (L. Callentine) (Public hearing was conducted at the June 10, 2014 meeting)

The Commission may take action on this request.

F. ACCEPTANCE OF THE ACTION MINUTES OF THE JUNE 10, 2014 MEETING AND REGULAR MINUTES OF THE MARCH 25, 2014 MEETING

G. DIRECTOR'S REPORT

1. SMA Minor Permit Report (Appendix A)
2. SMA Exemption Report (Appendix B)
3. Discussion of Future Maui Planning Commission Agendas
 - a. July 8, 2014 meeting agenda items
4. June 26, 2014 contested case hearing at 9:00a.m. on the following 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) (Matter was previously discussed at the April 22, 2014 Maui Planning Commission meeting)

The Commission and the public were notified of this appeal through the January 14, 2014 Maui Planning Commission agenda.

Pursuant to the Maui Planning Commission's Special Management Area Rules and its Rules of Practice and Procedure, the parties in the subject appeal are:

- a. Appellants - James Bendon, Robert and Margaret Kaplan, Cyrus Monroe, and Peter Siracusa
- b. Applicant - State Department of Transportation, Airports Division
- c. Appellee - Department of Planning

H NEXT REGULAR MEETING DATE: JULY 8, 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 on June 24, 2014 was on June 9, 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\062414)

PD-Approved SMA Minor Projects for Maui

Permit Completion Date: 05/28/2014 - 06/12/2014



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

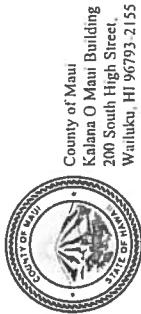
Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20140049	EMMA SHARPE FESTIVAL	EMMA SHARPE HULA FESTIVAL - 2014	EMMA SHARPE HULA FESTIVAL - 2014/LAHAINA	LAHAINATOWN ACTION COMMITTEE	LOPEZ	05/29/2014	A W/COND-APPROVED WITH CONDITIONS	2460010090000
SM2 - 20140050	EMMA SHARPE FESTIVAL	EMMA SHARPE HULA FESTIVAL - 2014	EMMA SHARPE HULA FESTIVAL - 2014/LAHAINA	LAHAINATOWN ACTION COMMITTEE	LOPEZ	05/29/2014	A W/COND-APPROVED WITH CONDITIONS	2460010090000
SM2 - 20140051	EMMA SHARPE FESTIVAL	EMMA SHARPE HULA FESTIVAL - 2014	EMMA SHARPE HULA FESTIVAL - 2014/LAHAINA	LAHAINATOWN ACTION COMMITTEE	LOPEZ	05/29/2014	A W/COND-APPROVED WITH CONDITIONS	2460010090000
SM2 - 20140060	NA KAMEHEMEHA	2012 ANNUAL NA KAMEHEMEHA COMMEMORATIVE PA'U PARADE & HO'OLAULE'A	NA KAMEHEMEHA DAY CELEBRATION/LAHAINA	LAHAINATOWN ACTION COMMITTEE	LOPEZ	05/29/2014	A W/COND-APPROVED WITH CONDITIONS	2460010090000
SM2 - 20140061	NA KAMEHEMEHA DAY	NA KAMEHEMEHA DAY CELEBRATION/BANYAN TREE	NA KAMEHEMEHA DAY CELEBRATION/LAHAINA	LAHAINATOWN ACTION COMMITTEE	LOPEZ	05/29/2014	A W/COND-APPROVED WITH CONDITIONS	2460010090000
SM2 - 20140062	NA KAMEHEMEHA DAY	NA KAMEHEMEHA DAY CELEBRATION/BANYAN TREE	NA KAMEHEMEHA DAY CELEBRATION/LAHAINA	LAHAINATOWN ACTION COMMITTEE	LOPEZ	05/29/2014	A W/COND-APPROVED WITH CONDITIONS	2460010090000

Grand Total : 6

APPENDIX A

PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 05/28/2014 - 06/12/2014



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 - 20120301	KAANAPALIROYAL AOA0	APARTMENT ALT/ ENCLOSED LANAI	KAANAPALI ROYAL AOA0	AZBILL	05/29/2014	A-APPROVED	2440080230000
SM5 - 20140168	OCEAN NAIL SPA	INTERIOR ALTERATION/KIHEI	GREGORY L SKOG	AZBILL	05/29/2014	A-APPROVED	2390080280000
SM5 - 20140169	ST THERESA CHURCH	RECTORY ALTERATION/KIHEI	MARIE E KIMMEY		05/29/2014	A-APPROVED	2390090280000
SM5 - 20140170	SIMON, JEFFREY	MAIN DWELL REPAIR & MAINTENANCE/WAILEA	JEFFREY SIMON		05/29/2014	A-APPROVED	2210260170000
SM5 - 20140171	WAILEA KAI POOL	WAILEA KAI POOL	RANDY SIROIS	HIGA	05/30/2014	A-APPROVED	2210210350000
SM5 - 20140172	THE WHALER	EXISTING BEACH PAVILION REPAIR/KAANAPALI	SHARON WRIGHT	THACKERSON	05/31/2014	A-APPROVED	2440080020000
SM5 - 20140173	OTB / BUTLER	APT ALTERATION: UNIT N-301/LAHAINA	MARIE E KIMMEY	AZBILL	06/02/2014	A-APPROVED	2440080230089
SM5 - 20140174	THE SUNGLASS HUT	THE SUNGLASS HUT/LAHAINA	HONOLULU BUILDERS LLC	THACKERSON	06/02/2014	A-APPROVED	2450020090000
SM5 - 20140175	THIBAULT, KATHERINE	CONVERT WORKSHOP TO BEDROOM/HAIKU	KATHERINE THIBAULT		06/02/2014	A-APPROVED	2280060190000
SM5 - 20140176	LANSING, DAVID	MAIN DWELLING, GARAGE, LANAI/KIHEI	RICKY J MCGOVERN		06/03/2014	A-APPROVED	2210250320000
SM5 - 20140177	HOLLMANN, CHRISTIAN	SWIMMING POOL/KIHEI	RICKY J MCGOVERN	HIGA	06/03/2014	A-APPROVED	2210210430000
SM5 - 20140178	VANS SHOES	INTERIOR REMODEL/RETAIL STORE - LAHAINA	TIMOTHY G. PLEGER	LOPEZ	06/04/2014	A-APPROVED	2460010060000
SM5 - 20140179	DUNN, SUSAN	ATF CONVNT GARAGE TO ACCESS DWELL/KUAU	SUSAN DUNN	SCOTT	06/04/2014	A-APPROVED	2260120230000
SM5 - 20140182	MAKENA OHANA LLC	MAIN DWELLING ADDITION/MAKENA	MAKENA OHANA LLC		06/09/2014	A-APPROVED	2210051260000
SM5 - 20140183	FUN FACTORY	INTERIOR REMODELING/MAUI MALL/KAHULUI	ANTHONY RIECKE-GONZALES	AZBILL	06/09/2014	A-APPROVED	2370090040000
SM5 - 20140184	ABAD, ANDREA	MAIN DWELLING ALTERATION/WAILUKU	ANDREA ABAD	SCOTT	06/09/2014	A-APPROVED	2360010350000
SM5 - 20140185	GUCCI	RETAIL--TENANT IMPROVEMENTS UNIT A-9	DOREEN GOMES		06/09/2014	A-APPROVED	2210080740000
SM5 - 20140186	IZBICKI, DONYA	ATF LANAIS/KIHEI	DONYA ROSS IZBICKI	SCOTT	06/09/2014	A-APPROVED	2220261060000

Grand Total : 18