

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

OFFICE OF THE
COUNTY CLERK

2014 AUG -4 AM 10:03

RECEIVED

AGENDA

DATE: AUGUST 12, 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 HEARING (Action to be taken after the public hearing.)
 - 1. MR. DAVID PYLE, Executive Vice-President of THE KRAUSZ COMPANIES, INC. requesting a Community Plan Amendment, Change in Zoning, and Special Management Area Use Permit for the proposed Downtown Kihei Project adjacent to Piikea Avenue consisting of business, retail, commercial and hotel uses, and related improvements on a total of approximately 27.44 acres of land at TMK: 3-9-002: 030, 076, 080, and 158, Kihei, Island of Maui. (CPA 2012/0004) (CIZ 2012/0009) (SM1 2012/0006) (A. Cua) (The Maui Planning Commission accepted the Final Environmental Assessment as a Findings of No Significant Impact at its March 12, 2013 meeting.)

The Applicant, The Krausz Companies, Inc., is seeking the following land use entitlement approvals for the proposed Downtown Kihei project located on the north and south sides of Piikea Avenue:

- a. A Community Plan Amendment to Hotel for a 2.627 acre portion of Parcel 030 and an amendment to the Planning Standards to allow a height of sixty (60) feet on parcel 076 to accommodate a movie theater building;
- b. A Change in Zoning from the R-3 Residential District to the B-2 Community Business District, OS-1 Open Space Passive District; and H-M Hotel District; and
- c. A Special Management Area (SMA) Use Permit for the development of the Downtown Kihei project to include retail and commercial buildings, a movie heater, a select services hotel, a village square, and on-grade deck parking.

D. WORKSHOP NO. 3 conducted by the Office of the Corporation Counsel

1. Contested Cases
2. Legal training on concepts of nexus and proportionality and their application to the permit process.

E. ACCEPTANCE OF THE ACTION MINUTES OF THE JULY 22, 2014 MEETING AND REGULAR MINUTES OF THE APRIL 22, 2014 and JUNE 24, 2014 MEETINGS

F. 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 request administratively:

TOWNE DEVELOPMENT OF HAWAII, INC. requesting a two (2)-year time extension on the Special Management Area Use Permit condition to complete construction of the North-South Collector Road Extension (Walua Place to Keonekai Road) at TMK: 3-9-004: 145, 3-9-020: 004, 016, 035, 036, 037 and 3-9-060: 091, Kihei, Island of Maui. (SM1 2005/0007) (K. Scott)

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. Pursuant to the provisions of Section 19.32.020.C of the Maui County Code, Planned Development, the Planning Director notifying the Commission of the Planning Director's review of the Step III Unified Site and Building Program on the following application:

MR. ANTHONY WRZOSEK of R.D. OLSON DEVELOPMENT requesting Planned Development Step III Approval for construction of the Wailea Residence Hotel (formerly known as the Piilani Suites Hotel), a 200-room hotel and related improvements at Wailea Ike Drive, TMK: 2-1-008: 121 (por.), Wailea, Island of Maui. (PD3 2014/0002) (K. Wollenhaupt)

The Commission may waive its review and allow the Planning Director to take final action on the Planned Development Step III application or review and take final action on the Planned Development Step III application.

3. Notification of the Issuance of the transfer of a Special Management Area Use Permit pursuant to Section 12-202-17(d) of the Maui Planning Commission's Special Management Area (SMA) Rules:

MR. WILLIAM SPENCE, Planning Director by letter dated July 16, 2014 approving the transfer from A&B PROPERTIES, INC. To W-ADP HOLDINGS VII, LLC of the Special Management Area Use Permit for the Maui Mall Retail Buildings including the proposed T.J. Maxx Store on property situated at 70 East Kaahumanu Avenue, TMK: 3-7-009: 004, Kahului, Island of Maui. (SM1 2013/0004) (C. Thackerson)

The Commission shall acknowledge receipt of the notification.

4. SMA Minor Permit Report (Appendix A)
5. SMA Exemption Report (Appendix B)
6. Discussion of Future Maui Planning Commission Agendas
 - a. August 12, 2014 meeting agenda items

G. NEXT REGULAR MEETING DATE: AUGUST 26, 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 on August 12, 2014 was on July 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.

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\0081214)



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

PD-Approved SMA Minor Projects for Maui

Permit Completion Date: 07/09/2014 - 07/30/2014

07/30/2014

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20140076	YOKOUCHI MASARU	YOKOUCHI MASARU TRUST - SINGLE FAMILY GARAGE	YOKOUCHI MASARU/LAHAINA	WILLIAM MCKEON	LOPEZ	07/09/2014	A W/COND-APPROVED WITH CONDITIONS	2450060080000
SM2 - 20140077	MAUI ELECTRIC COMPAN	MAUI ELECTRIC COMPANY. LIMITED ANCHORS/HANA	INSTALLATION OF POLES AND SUBDIVISION/CONSOLIDATION/LAHAINA	MAUI ELECTRIC COMPANY LTD	SCOTT	07/11/2014	A W/COND-APPROVED WITH CONDITIONS	2140100080000
SM2 - 20140078	LAHAINA CANNERY MALL	LAHAINA CANNERY MALL	SUBDIVISION/CONSOLIDATION/LAHAINA	PROPERTY DEVELOPMENT CENTERS, LLC	FASI	07/11/2014	A W/COND-APPROVED WITH CONDITIONS	2450080090000
SM2 - 20140079	SHIMOMURA, BRIAN	SHIMOMURA 2ND DWELLING/LAHAINA	SHIMOMURA 2ND DWELLING/LAHAINA	DENNIS SHIMOMURA	CALLENTINE	07/14/2014	A W/COND-APPROVED WITH CONDITIONS	2430160250000
SM2 - 20140080	1205 ULUNIUI WELL	1205 ULUNIUI WELL	CONSTRUCT NEW WELL/KIHEI	JACOB FREEMAN	SCOTT	07/11/2014	A W/COND-APPROVED WITH CONDITIONS	2390080140000
SM2 - 20140081	KIHEI SELF STORAGE	KIHEI SELF STORAGE	UNIT ADDITIONS/KIHEI	MAUI SELF STORAGE	THACKERSON	07/17/2014	A W/COND-APPROVED WITH CONDITIONS	2390021540000
SM2 - 20140082	OUTRIGGER WAILEA	OUTRIGGER WAILEA RESORT	MODIFY TELECOMMUNICATIONS FACILITY	MARK EVENSON	THACKERSON	07/17/2014	A W/COND-APPROVED WITH CONDITIONS	2210080610000
SM2 - 20140083	KIHEI/AUTO SALES, IN	CAR RENTAL AND SERVICE CENTER (KIHEI)	KIHEI AUTO SALES, INC	PACIFIC SIGN & DESIGN, INC	SCOTT	07/15/2014	A W/COND-APPROVED WITH CONDITIONS	2390510400000
SM2 - 20140084	MARILYN KLUG REMODEL	MARILYN KLUG REMODEL, RESIDENTIAL UNIT 153-6	MARILYN KLUG REMODEL/LAHAINA	MARILYN KLUG	SCOTT	07/24/2014	A W/COND-APPROVED WITH CONDITIONS	2460320240000
SM2 - 20140085	MAALAEA SURF H4	MAALAEA SURF H4 ATTIC STRENGTHENING	CONDO UNIT A TTIC STRENGTHENING/KIHEI	BRANDON ERICKSON	LOPEZ	07/28/2014	A W/COND-APPROVED WITH CONDITIONS	2380130060057
SM2 - 20140086	SALVATORE MATARESE	MATARESE SINGLE FAMILY DWELLING	SINGLE FAMILY DWELLING/WAILUKU	SALVATORE MATARESE	SCOTT	07/25/2014	A W/COND-APPROVED WITH CONDITIONS	2320190520000

Grand Total : 11

PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 07/09/2014 - 07/30/2014



County of Maui
Kalena O Maui Building
200 South High Street,
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Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20140212	CASTIGLIONE, NORMAN	INSTALL WALKWAY/WAILEA	NORMAN RUSSELL	AZBILL	07/09/2014	A-APPROVED	2210260870000
SM5 - 20140213	WHALERS VILLAGE SHOP	FIRE SPRINKLER ALARM E-02 ONLY/LAHAINA	ROBERT HARTMAN	SCOTT	07/09/2014	A-APPROVED	2440080010000
SM5 - 20140214	THIELK, EDWARD	SHIP. CONTAINERS W/CONCRETE SLAB /HAIKU	FERNANDO CANUSO		07/09/2014	A-APPROVED	2270130220000
SM5 - 20140215	PETTINELLI, DENNIS	APARTMENT ALTERATION - UNIT A303/LAHAINA	PETTINELLI, DENNIS J		07/09/2014	A-APPROVED	2440080230007
SM5 - 20140216	RANDOLPH, ROBERT/CAR	CONSTRUCT NEW DWELLING/RETAIN WALL/KIHEI	ROBERT & CAROL RANDOLPH		07/09/2014	A-APPROVED	2390481130000
SM5 - 20140217	MIETH	MIETH RESIDENCE/LAHAINA	HORST MIETH	SCOTT	07/09/2014	A-APPROVED	2460300210000
SM5 - 20140218	OLD LAHAINA LUAU	COLUMN REPAIRS FOR PAVILIONS/LAHAINA	DEAN FRAMPTON	SCOTT	07/09/2014	A-APPROVED	2450050090000
SM5 - 20140219	YU, LEONARD / BEATTY	ATF MAIN DWELLING ADDITION/HANA	LEONARD YU/ROBERTA BEATTY	SCOTT	07/10/2014	A-APPROVED	2140050220000
SM5 - 20140220	WILLIAM T. LEVITT	RESIDENCE INTERIOR UPDATE/LAHAINA	WILLIAM TOBIAS LEVITT	SCOTT	07/10/2014	A-APPROVED	2460320450000
SM5 - 20140221	ALEXANDER, ARLETTE	ATF BEDROOM ADDITION ON 1ST FLOOR	JEFFREE TRUDEAU		07/10/2014	A-APPROVED	2290070670001
SM5 - 20140222	HEMBREE, MACK & KIM	MAIN DWELLING ADDITION/ALTERATION/KIHEI	KIM & MACK HEMBREE	BUIKA	07/13/2014	A-APPROVED	2390110090000
SM5 - 20140223	PHILANI VILLAGE COMM	COMMERCIAL ALTERATION	JIMMY BACH	THACKERSON	07/14/2014	A-APPROVED	2220240210000
SM5 - 20140224	MAUI SURF SHACK LLC	INTERIOR RENOVATION/LAHAINA	ATOM KAPRZYCKI	SCOTT	07/16/2014	A-APPROVED	2430030170012
SM5 - 20140225	HUFFMAN, DANIEL	REPLACE DOOR AND FRAMING UNIT/KIHEI	DANIEL HUFFMAN	SCOTT	07/15/2014	A-APPROVED	2390010750108
SM5 - 20140226	HERBERT, STEVEN	ATF DWELLING ADDITION/LAHAINA	KM DESIGN	CALLENTINE	07/16/2014	A-APPROVED	2450030310000
SM5 - 20140227	BAM'S PIZZA SHOP	RETAIL-TAKE OUT/KIHEI	BRANDON LEONETTI		07/17/2014	A-APPROVED	2390080280000
SM5 - 20140229	KAANAPALI FRESH	CULINARY FESTIVAL 8/30/14 - LAHAINA	KAANAPALI BEACH RESORT ASSO.	FLAMMER	07/22/2014	A-APPROVED	2440080090000
SM5 - 20140230	WAIKO BASEYARD LLC	NEW SINGLE FAMILY RESIDENCE/MAKENA	RICHARD S. YOUNG	BUIKA	07/23/2014	A-APPROVED	2210060870000
SM5 - 20140231	GARDEN WORKSHOP	GARDEN WORKSHOP/KIHEI	JOE FINLAND	HIGA	07/23/2014	A-APPROVED	2390030050000
SM5 - 20140232	BECK, RICHARD/RONALD	ENCLOSE LANAI / 3RD FLOOR - LAHAINA	RONALD BECK	AZBILL	07/23/2014	A-APPROVED	2440080230061
SM5 - 20140233	NORQUIST RESIDENCE	NORQUIST RESIDENCE	LLOYD NORQUIST		07/24/2014	A-APPROVED	2390170940000
SM5 - 20140234	BUNGALOWS AT NAPILI	SF RESIDENCE ON PIER FOUNDATION/LAHAINA	DANNY AND DEBBIE	SCOTT	07/28/2014	A-APPROVED	2430020560000

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Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20140235	CRAIN, MICHAEL	DWELLING ADDITION/ALTERATION/LAHAINA	MICHAEL & JEANNETTE CRAIN	HIGA	07/28/2014	A-APPROVED	2430160040000
SM5 - 20140236	THE WHALER	TENNIS PAVILION DEMOLITION/KAAANAPALI	SHARON WRIGHT	THACKERSON	07/28/2014	A-APPROVED	2440080020000
SM5 - 20140237	CARVALHO, ELSIE	INSTALL PROPERTY WALL/PAIA	ELSIE CARVALHO	HIGA	07/28/2014	A-APPROVED	2260050750000
SM5 - 20140238	WAILEA ELUA	EXTERIOR REPAIR AND ENHANCEMENT/WAILEA	SHARON WRIGHT	SCOTT	07/29/2014	A-APPROVED	2210080690000
SM5 - 20140239	QUIKSILVER IMPROV.	SMA APPLICATION/RETAIL IMPROVEMENT/WAILEA	DKKY ARCHITECTURE STUDIO, INC.	AZBILL	07/29/2014	A-APPROVED	2210080740000
SM5 - 20140240	HYATT REGENCY	PALACE SUITE RENOVATION	GARY HOUSTON	SCOTT	07/29/2014	A-APPROVED	2440130080000
SM5 - 20140241	KAPALUA BAY VILLAS	EXTERIOR REPAIRS/LAHAINA	KEN BOUDREAU	SCOTT	07/29/2014	A-APPROVED	2420010240000
SM5 - 20140242	HUNTSMAN RESIDENCE	INTERIOR RENOVATION/LAHAINA	ATOM KAPRRZYCKI	SCOTT	07/29/2014	A-APPROVED	2440080220041

Grand Total : 30