

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 SEP 12 AM 8:30

RECEIVED

AGENDA

DATE: SEPTEMBER 23, 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.
- C. PUBLIC HEARINGS (Action to be taken after each public hearing.)
 - 1. MS. DENISE HOLLAND requesting a Short-Term Rental Home Permit in order to operate the Maui Vacation Home, a three (3) bedroom short-term rental home operation located in the R-2 Residential District at 1161 Lahilahi Place, TMK: 4-5-004: 037, Lahaina, Island of Maui. (STWM T2013/0013) (L. Callentine)

This short-term rental home application is being referred to the Maui Planning Commission for review and action because an existing short-term rental home is operating within five hundred feet radius of the proposed short-term rental home lot.
 - 2. RUSSELL and ELIZABETH EVANS requesting a Short-Term Rental Home Permit in order to operate the Hale Evans, a four (4) bedroom short-term rental home operation located in the R-3 Residential District at 16 Holomakani Place, TMK: 4-4-009: 027, Lahaina, Island of Maui. (STWM T2014/0001) (L. Callentine)

This short-term rental home application is being referred to the Maui Planning Commission for review and action because an existing short-term rental home is operating within five hundred feet radius of the proposed short-term rental home lot.
 - 3. MR. PAUL MERAGE requesting a Special Management Area Use Permit in order to demolish the existing structures and construct three (3) single family residences and related improvements on approximately 0.80 acres of land in the R-3 Residential District at 3116 S. Kihei Road, TMK: 2-1-010: 005, Kihei, Island of Maui. (SM1 2014/0006) (K. Scott)

C. COMMUNICATIONS

1. MS. JUANITA CHONG of HALFWAY TO HANA, INC. requesting a twenty (20) year time extension on the State Land Use Commission Special Use Permit and Conditional Permit to continue the operation of the Halfway to Hana Stand in the State Agricultural District at TMK: 1-1-007: 003, Keanae, Island of Maui.(SUP2 960007) (CP 20010004) (P. Fasi)

The Commission may take action on this request.

D. ADOPTION OF WRITTEN DECISION AND ORDER

1. CRAIG NAKAMURA and ARSIMA MULLER of CARLSMITH BALL, LLP attorneys for STANFORD CARR DEVELOPMENT, LLC on behalf of the HARRY AND JEANETTE WEINBERG FOUNDATION, INC. transmitting the following on August 18, 2014: (D. Dias)

Proposed Findings of Fact, Conclusions of Law, and Decision and Order relating to the denial of Protect and Preserve Kahoma Ahupuaa Association, Michelle Lincoln, Mark and Linda Allen, Patrick and Naomi Guth, and Constance B. Sutherland's Petition to Intervene on the Special Management Area Use Permit for the proposed Kahoma Village Project at TMK: 4-5-008: 001 (por.), Lahaina, Island of Maui. (SM1 2012/0007)

The Commission took an action to deny the Petition to Intervene at its June 24, 2014 meeting.

The Commission may act to adopt the proposed Written Decision and Order with or without modifications or take some other action.

E. ACCEPTANCE OF THE ACTION MINUTES OF AUGUST 26, 2014 MEETING AND REGULAR MINUTES OF THE MAY 27, 2014 AND JULY 8, 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:

MR. GLENN TAMURA requesting a two (2)-year time extension on the Special Management Area Use Permit condition to initiate construction of the proposed Tamura's Plaza (formerly Pacific Plaza) and related improvements at 99 E. Lipoa Street, TMK: 3-9-002: 215, Kihei, Island of Maui. (SM1 2006/0041) (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. Status Update on the scheduling of the Site Inspection and Public Hearing Date in West Maui for the following applications relating to the proposed West Maui Hospital and Medical Center. Since the project is seeking both Phase I and Phase II Project District Approvals, pursuant to the provisions of Section 19.45.050 of the Maui County Code, a public hearing needs to be held in the affected community plan area (West Maui). The applications are (previously discussed at the August 26, 2014 meeting.) (G. Flammer):

- a. New Proposed West Maui Hospital and Medical Center Site at the Kaanapali-North Beach Mauka Project District:

MR. WILLIAM SPENCE, Planning Director transmitting on behalf of NEWPORT HOSPITAL CORPORATION the following requests for the proposed West Maui Hospital and Medical Center site a Community Plan Amendment to address the inclusion of the hospital in the Kaanapali-North Beach Mauka Project District; a State Land Use District Boundary Amendment from State Agricultural District to State Urban District; a Change in Zoning from County Agricultural District to Kaanapali-North Beach Mauka Project District, a Phase I Project District Approval, and a Phase 2 Project District Approval for property situated at TMK: 4-4-002: 052 (por.), Kaanapali, Island of Maui. (CPA 2014/0002) (DBA 2014/0002) (CIZ 2014/0002) (PH1 2014/0001) (PH2 2014/0002) (G. Flammer)

The proposed West Maui Hospital and Medical Center is an acute care hospital, assisted living facility, skilled nursing facility and rehabilitation center, and medical offices building.

- b. Reversion of Land Use Entitlements at Prior Site (near Lahaina Civic Center) to its original Land Use Designations

MR. WILLIAM SPENCE, Planning Director transmitting on behalf of NEWPORT HOSPITAL CORPORATION the following requests for the former planned West Maui Hospital site a Community Plan Amendment from Public/Quasi-Public to Agriculture, a State Land Use District Boundary Amendment from State Urban District to State Agricultural District; and a Change in Zoning from P-1 Public/Quasi-Public District to County Ag. District at TMK: 4-4-006: 070, Lahaina, Island of Maui. (CPA 2014/0003) (DBA 2014/0003) (CIZ 2014/0003) (G. Flammer)

The Commission may act to select a date(s) to conduct the site inspection and public hearings.

3. Notification of the Appeal of the Maui Planning Commission's Decision to the Second Circuit Court on the following

GREGORY W. KUGLE and BETHANY C.K. ACE of DAMON KEY LEONG KUPCHAK HASTERT attorneys for TERRY EPSTEIN and MARY KATHERINE EPSTEIN appealing on August 27, 2014 the written Findings of Fact, Conclusions of Law, Decision and Order of the Maui Planning Commission denying the Short-Term Rental Home Permit and the State Special Use Permit for the Shambala Short-Term Rental Home at 120 Kaimanu Place, TMK: 2-1-019: 100, Kihei, Island of Maui. (Civil No. 14-1-0495(1)) (STKM T2012/0012) (SUP2 2012/0030) (D. Dias)

***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.**

This is for notification purposes only.

4. Reports from the Maui Planning Commissioners on the 2014 Hawaii Congress of Planning Officials (HCPO) Conference conducted on September 10-12, 2014, Sheraton Maui Hotel, Kaanapali, Island of Maui.
 5. SMA Minor Permit Report (Appendix A)
 6. SMA Exemption Report (Appendix B)
 7. Discussion of Future Maui Planning Commission Agendas
 - a. October 14, 2014 meeting agenda items
- G. NEXT REGULAR MEETING DATE: OCTOBER 14, 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 September 23, 2014 was on September 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\092314)



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

PD-Approved SMA Minor Projects for Maui

Permit Completion Date: 08/12/2014 - 09/09/2014

09/09/2014

| Permit # | Project | Description | Permit Name | Applicant Name | Planner | Completed Date | Decision | TMK(s) |
|----------------|----------------------|---|---------------------------------------|----------------------------|------------|----------------|-----------------------------------|---------------|
| SM2 - 20140089 | BOONSTRA-BARBIER, SH | BOONSTRA-BARBIER, SHERRY - VISITOR INFO BLDG. | FENCE INSTALLATION/LAHAINA | SHERRY BOONSTRA-BARBIER | LOPEZ | 08/12/2014 | A W/COND-APPROVED WITH CONDITIONS | 2460100100000 |
| SM2 - 20140090 | HONOLUA STORE | HONOLUA STORE | GROUND SIGN/HONOLUA | DARIN FUKUNAGA | THACKERSON | 08/13/2014 | A W/COND-APPROVED WITH CONDITIONS | 2420040540000 |
| SM2 - 20140092 | MAKENA PLACE 10 | MAKENA PLACE - LOT 10 | MAIN DWELLING ALTERATION/MAKENA | DEAN K. FRAMPTON | SCOTT | 08/14/2014 | A W/COND-APPROVED WITH CONDITIONS | 2210070960010 |
| SM2 - 20140093 | KOA LAGOON | KOA LAGOON | INSTALL SEWER MANHOLE/KIHEI | WAYNE ARAKAKI | SCOTT | 08/14/2014 | A W/COND-APPROVED WITH CONDITIONS | 2390010130000 |
| SM2 - 20140094 | FRYE, MARY JO | FRYE, MARY JO | INSTALL MECO POLE & TRANSFORMER/KIHEI | MARY JO FRYE | SCOTT | 08/20/2014 | A W/COND-APPROVED WITH CONDITIONS | 2390150200000 |
| SM2 - 20140095 | KRAL, HANNELORE | KRAL, HANNELORE | APARTMENT ALTERATION/KIHEI | RICK MCGOVERN | SCOTT | 08/21/2014 | A W/COND-APPROVED WITH CONDITIONS | 2210070950104 |
| SM2 - 20140096 | KAUHIALE MAKAI | KAUHIALE MAKAI | INSTALLATION OF SEWER MANHOLE | MICHELLE COCKETT | FASI | 08/26/2014 | A W/COND-APPROVED WITH CONDITIONS | 2390010750000 |
| SM2 - 20140097 | HELENE HALL LEACH FI | HELENE HALL NEW LEACH FIELD | INSTALL NEW LEACH FIELD/HANA | DEPT OF PARKS & RECREATION | SCOTT | 08/28/2014 | A W/COND-APPROVED WITH CONDITIONS | 2140040340000 |
| SM2 - 20140098 | SALVADOR, ARIK | SALVADOR, ARIK | CMU RETAINING WALL/PAIA | NANILOA REVOC TRUST | SCOTT | 08/28/2014 | A W/COND-APPROVED WITH CONDITIONS | 2260080070000 |
| SM2 - 20140099 | THE WHALER | THE WHALER ON KAA NAPALI BEACH | SITE UTILITIES, PARKING IMPROVEMENTS | SHARON WRIGHT, MWA, INC. | THACKERSON | 08/28/2014 | A W/COND-APPROVED WITH CONDITIONS | 2440080020000 |
| SM2 - 20140100 | TANNO, MICHELLE | TANNO, MICHELLE | MAIN DWELLING/WAILUKU | TANNO, MICHELLE ANGEL | SCOTT | 09/04/2014 | A W/COND-APPROVED WITH CONDITIONS | 2320150410000 |
| SM2 - 20140101 | HI2 KAHANA | REMOVAL/INSTALLATION OF PANEL ANTENNAS, INSTALLATION OF NEW EQUIPMENT | NEW ANTENNA AND EQUIPMENT/LAHAINA | VERIZON WIRELESS | SCOTT | 09/02/2014 | A W/COND-APPROVED WITH CONDITIONS | 2430100110000 |
| SM2 - 20140102 | KIHEI PUBLIC LIBRARY | KIHEI PUBLIC LIBRARY | AIR CONDITIONER REPLACEMENT/KIHEI | ANDREW PETERSEN | SCOTT | 09/04/2014 | A W/COND-APPROVED WITH CONDITIONS | 2390120130000 |
| SM2 - 20140103 | MAUI ELECTRIC COMPAN | MAUI ELECTRIC COMPANY, LIMITED | IMPROVEMENTS/KUAU | MAUI ELECTRIC CO., LTD. | SCOTT | 09/02/2014 | A W/COND-APPROVED WITH CONDITIONS | 2250050210000 |
| SM2 - 20140104 | HOPE CHAPEL | HOPE CHAPEL EV CHARGING STATIONS | ELECTRIC VEHICLE CHARGING STATIONS | HNU-ENERGY | THACKERSON | 09/03/2014 | A W/COND-APPROVED WITH CONDITIONS | 2220020720000 |
| SM2 - 20140105 | UH MAUI COLLEGE | UH MAUI COLLEGE | UTILITY INSTALLATION SITE #2/KAHALUI | JARED CHANG | LOPEZ | 09/04/2014 | A W/COND-APPROVED WITH CONDITIONS | 2380070400000 |

Grand Total : 16

PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 08/12/2014 - 09/09/2014

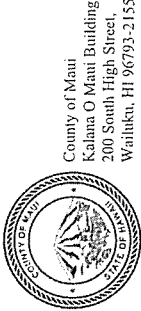


County of Maui
Kalama O Maui Building
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| Permit # | Project | Permit Name | Applicant Name | Planner | Completed Date | Decision | TMK(s) |
|----------------|----------------------|--|------------------------------------|------------|----------------|------------|--------------------------------|
| SM5 - 20140256 | SHERATON MAUI | TENTS FOR SP. EVENT/NOV 2014 - LAHAINA | MAUI RENTS, INC. | AZBILL | 08/12/2014 | A-APPROVED | 2440080050000 |
| SM5 - 20140257 | SHERATON MAUI | TENTS FOR LUNCHEON - LAHAINA | MAU RENTS, INC. | | 08/12/2014 | A-APPROVED | 2440080050000 |
| SM5 - 20140258 | SHOPS AT WAILEA | RETAIL SPACE - UNIT EW-11/WAILEA | ROBERT WEST | AZBILL | 08/12/2014 | A-APPROVED | 2210080740000 |
| SM5 - 20140259 | WANG, MEI JEN | AFTER THE FACT TRELIS/KIHEI | WENDEL CORPUZ | | 08/13/2014 | A-APPROVED | 2390371000000 |
| SM5 - 20140260 | MAALAEA YACHT MARINA | MYM SPALLING REPAIR/MAALAEA | AOAO MAALAEA YACHT MARINA | SCOTT | 08/14/2014 | A-APPROVED | 2380140240000 |
| SM5 - 20140261 | KAANAPALI FRESH | EVENT TENTS(2) 8/30/14 - SHERATNLAHAINA | KAANAPALI BEACH RESORT ASSOCIATION | THACKERSON | 08/18/2014 | A-APPROVED | 2440080050000 |
| SM5 - 20140262 | LARSON FAMILY TRUST | BUILD 2 STORY SGL FAMILY HOUSE, POOL,SPA | LARSON FAMILY TRUST | ABBOTT | 08/19/2014 | A-APPROVED | 2210110170000 |
| SM5 - 20140263 | RODDENBERRY | SINGLE-FAMILY RESIDENCE ADDITIONS | JAMES LECRON | SCOTT | 08/21/2014 | A-APPROVED | 2430150580000 |
| SM5 - 20140264 | NELSON KEALIA OHANA | | GEORGE A. RIXEY | BUIKA | 08/22/2014 | A-APPROVED | 2380130120000 2380130120000 |
| SM5 - 20140265 | LIONESSE BEAUTY BAR | RETAIL ALTER: TENANT IMPROV(#B-6)/WAILEA | TAL NEMZER | | 08/22/2014 | A-APPROVED | 2210080740000 |
| SM5 - 20140266 | KAMEHAMEHA III ELEM | RENOVATE RESTROOM INTERIOR, PLUMBING | RSK ARCHITECTS, LTD | LOPEZ | 08/25/2014 | A-APPROVED | 2460020130000 2460020140000 |
| SM5 - 20140267 | LEILANI KAI | REMOVE SIDEWALK/KIHEI | ALOHA PROPERTY MANAGEMENT | SCOTT | 08/25/2014 | A-APPROVED | 2390080090000 |
| SM5 - 20140268 | CAR SHOW BB/BS | TEMP TENT FOR CAR SHOW 2014/KIHEI | PABLO FRATE | AZBILL | 08/28/2014 | A-APPROVED | 2390020280000 |
| SM5 - 20140270 | MONKEYPOD RESTAURANT | LANAI ENLARGEMENT/WAILEA | SARA HILL | | 08/26/2014 | A-APPROVED | 2210081510000 |
| SM5 - 20140271 | HYATT REGENCY | PALACE SUITE PATIO REPAIR/REFURBISH | CHRIS HART & PARTNERS, INC. | SCOTT | 08/28/2014 | A-APPROVED | 2440130080000 |
| SM5 - 20140272 | KAMAOLE II STAIRWAY | KAMAOLE II STAIRWAY RENOVATION/KIHEI | DEPT. OF PARKS AND RECREATION | SCOTT | 08/26/2014 | A-APPROVED | 2390050290000 |
| SM5 - 20140273 | GEORGIA KRAUSE | REMOVE CARPET/TILE AND REPLACELAHAINA | BILL SALAWICH | SCOTT | 08/27/2014 | A-APPROVED | 2460330210000 |
| SM5 - 20140274 | MISO PHAT SUSHI | TENANT IMPROVEMENT: #111-112/KAHANA | STEADMAN, RONALD | AZBILL | 08/28/2014 | A-APPROVED | 2430100110000 |
| SM5 - 20140275 | KENTALA / VENO | WATER TANK/HUELO | JAMES NIESS | | 08/28/2014 | A-APPROVED | 2290020200000 |

PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 08/12/2014 - 09/09/2014



County of Maui
Kalana O Maui Building
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| Permit # | Project | Permit Name | Applicant Name | Planner | Completed Date | Decision | TMK(s) |
|----------------|---------------------|--|-----------------------------------|---------|----------------|------------|---------------|
| SM5 - 20140276 | RAYMOND BORCHERS | BORCHERS SMA/HAIKU | ROBERT ROBINSON | | 08/28/2014 | A-APPROVED | 2280060020000 |
| SM5 - 20140277 | HALE KAAPALII/ASTON | RE-ROOF ONLY--DOLPHIN BLDG | KEVIN MCKEIRNAN | SCOTT | 09/02/2014 | A-APPROVED | 2440060110000 |
| SM5 - 20140278 | BISTRO CASANOVA | RESTAURANT ADDITION/ALTERATION/KAHULUI | NICHOLAS T WAGNER | | 09/04/2014 | A-APPROVED | 2370070100000 |
| SM5 - 20140279 | ETHEREDGE, KRISTIN | ATTACHED ACCESSORY DWELLING | KRIS ETHEREDGE | | 09/04/2014 | A-APPROVED | 2390530350000 |
| SM5 - 20140280 | SANDERS & MOULTON | ALTERATIONS TO BARN/HAIKU | GARY SANDERS & BETTY LYNN MOULTON | | 09/04/2014 | A-APPROVED | 2290030650000 |
| SM5 - 20140282 | MECO MAALAEA WELLS | REPLACE WELLS & IMPROVEMENTS/MAALAEA | MAUI ELECTRIC COMPANY LTD | BUIKA | 09/08/2014 | A-APPROVED | 2380050250000 |
| SM5 - 20140283 | HALE MAHALANI | RE-ROOF/SHAKE TO SHINGLES - KIHEI | SANDRA ALBRECHT | SCOTT | 09/09/2014 | A-APPROVED | 2390050210000 |

Grand Total : 26