

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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UNITY CLERK

AMENDED AGENDA

NOTE: The Maui Planning Commission agenda filed on September 12, 2014 for a meeting on September 23, 2014 has been canceled. This new agenda filed on September 16, 2014 replaces the canceled agenda. **Item D.2 has been added to the 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)

D. 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.

2. MS. MICHELE LINCOLN, President of PROTECT AND PRESERVE KAHOMA AHUPUAA ASSOCIATION submitting an Objection to Denial of Petition to Intervene dated July 7, 2014 in the matter of STANFORD CARR DEVELOPMENT LLC on behalf of the HARRY AND JEANETTE WEINBERG FOUNDATION INC.'s request for a Special Management Area Use Permit for the Kahoma Village Project at TMK: 4-5-008: 001 (por.), Lahaina, Island of Maui.

The Maui Planning Commission took actions to deny the Petition to Intervene request and approve the Special Management Area Use Permit request at its June 4, 2014 meeting.

The Maui Planning Commission may take action on this request.

E. 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.

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

G. 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
- H.. NEXT REGULAR MEETING DATE: OCTOBER 14, 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 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.**  
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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: 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	2460.001.00000
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	KAUIALE MAKAI	KAUIALE 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/PALIA	NANILOA REVOC TRUST	SCOTT	08/28/2014	A W/COND-APPROVED WITH CONDITIONS	2260080070000
SM2 - 20140099	THE WHALER	THE WHALER ON KAAPALI 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	1112 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	KUAAU SUBSTATION IMPROVEMENTS/KUAAU	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/KAHULUI	JARED CHANG	LOPEZ	09/04/2014	A W/COND-APPROVED WITH CONDITIONS	2380070400000

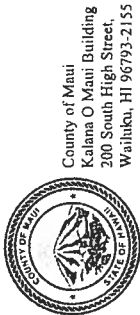
Grand Total : 16

= Shrinkline Projects

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## PD-Approved SMA Exempt Projects for Maui

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



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

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	KAMAHAMEHA 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 & PARNERS, 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

\* = Shoreline Projects  
closedsm5x

## PD-Approved SMA Exempt Projects for Maui

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



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

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 KAAPALU/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**