

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

AGENDA

DATE: OCTOBER 28, 2014
TIME: 9:00 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Building, 250 South High Street, Wailuku, Maui, Hawaii 96793

RECEIVED
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OFFICE OF THE
COUNTY CLERK

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. MR. WILLIAM SPENCE, Planning Director transmitting Council Resolution No. 14-40 referring to the Lanai, Maui, and Molokai Planning Commissions a proposed bill to amend Section 19.04.040 and Chapter 19.30A, Maui County Code pertaining to Commercial Agricultural Structures in the Agricultural District. (J. Alueta)
2. MR. WILLIAM SPENCE, Planning Director, transmitting Council Resolution No. 14-81 containing a proposed bill entitled "A Bill for an Ordinance to Allow Family Child Care Homes within the Agricultural District". (J. Alueta)

D. COMMUNICATIONS

1. MS. GWEN OHASHI HIRAGA, Project Manager from MUNEKIYO AND HIRAGA on behalf of INTRAWEST submitting the 2014 Annual Report on the disbursement of funds in the Settlement Agreement with the WEST MAUI PRESERVATION ASSOCIATION, INC. (WMPA) on the Special Management Area Use Permit and Step 2 Planned Development Approval for the proposed Honua Kai Resort, North Beach Park, and Related Improvements at TMK: 4-4-014: 006 and 008 and 4-4-001: 010, Kaanapali, Lahaina. Island of Maui. (SM1 2004/0017) (PD2 2004/0005) (C. Thackerson)

Condition No. 32 reads:

"That an annual report shall be filed with the Maui Planning Commission on the disbursement of the funds in the Settlement Agreements for their information."

This annual report is provided for the Commission's information and review..

E. ADOPTION OF WRITTEN DECISION AND ORDERS

1. Proposed Findings of Fact, Conclusions of Law and Decision and Order denying the request for a Short-Term Rental Home Permit by MR. ROBERT P. HOLLAND for in order to operate the Tropical Gardens Vacation Short-Term Rental Home, a three (3)-bedroom short-term rental home located on approximately 9,680 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) (Action on application taken at the January 14, 2014 meeting.)

The Commission may take action to adopt, adopt with modifications, or take some other action the proposed Findings of Fact, Conclusions of Law, and Decision and Order.

2. Proposed Findings of Fact, Conclusions of Law and Decision and Order denying the request for a Short-Term Rental Home Permit by MR. ALAN P. ZIMMERMAN of 33 Vallejo Hui, LLC to operate the Napili Kai Hale Short-Term Rental Home, a three (3)-bedroom short-term rental home located on approximately 10,000 sq. ft. of land in the R-3 Residential District at 33 Hui Road E, TMK: 4-3-015: 044, Napili, Island of Maui. (STWM T2013/0014) (K. Wollenhaupt) (Action on application taken at the January 14, 2014. meeting.)

The Commission may take action to adopt, adopt with modifications, or take some other action the proposed Findings of Fact, Conclusions of Law, and Decision and Order.

3. Proposed Findings of Fact, Conclusions of Law and Decision and Order denying the request for a State Land Use Commission Special Use Permit by MR. FREDRICK R. HONIG of the SPIRIT OF ALOHA TEMPLE to operate an agricultural educational classroom and hold Spirit of Aloha Temple Church Services with Church Service Related Events such as Weddings in the State and County Agricultural Districts on approximately 11 acres of land located at 800 Haumana Road, TMK: 2-8-004: 032, Haiku, Island of Maui. (SUP2 2012/0032) (K. Wollenhaupt) (Action on the application taken at the March 25, 2014 and April 8, 2014 meetings)

***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.**

The Commission may take action to adopt, adopt with modifications, or take some other action the proposed Findings of Fact, Conclusions of Law, and Decision and Order.

F. ACCEPTANCE OF THE ACTION MINUTES OF OCTOBER 14, 2014 MEETING AND REGULAR MINUTES OF THE AUGUST 12, 2014 AND AUGUST 26, 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. RODERICK FONG, General Partner of MAUI WAIOHULI PARTNERS requesting a two (2)-year time extension on the Special Management Area Use Permit condition to initiate construction of the Hoonani Subdivision, a 27 residential lot single family subdivision at Hoonani Street, TMK: 3-9-001: 007, Kihei, Island of Maui. (SM1 2008/0024) (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. SMA Minor Permit Report (Appendix A)
3. SMA Exemption Report (Appendix B)
4. Discussion of Future Maui Planning Commission Agendas
 - a. November 10, 2014 (**Monday**) meeting agenda items

H. NEXT REGULAR MEETING DATE: NOVEMBER 10, 2014 (**Monday**)

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 October 28, 2014 was on October 14, 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\102814.age)



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: 10/01/2014 - 10/15/2014

10/15/2014

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20140118	HEHEMANN, PETER	HEHEMANN, PETER	CONSTRUCT GARAGE/ART STUDIO ETC./PAIA	ATOM KASPRZYCKI	SCOTT	10/01/2014	A W/COND-APPROVED WITH CONDITIONS	2380950130000
SM2 - 20140119	STEVEN MARLETTE	NEW SEWER MANHOLE	REPLACEMENT OF SEWER CLEANOUT/WAILUKU	STEVEN MARLETTE	WOLLENHAUPT	10/01/2014	A W/COND-APPROVED WITH CONDITIONS	2380520230000
SM2 - 20140120	BOVY, CHRIS	BOVY, CHRIS - SINGLE FAMILY RESIDENCE	LANAI ENCLOSURE/KUAU	OWEN SHUGARS	SCOTT	10/09/2014	A W/COND-APPROVED WITH CONDITIONS	2260120720000
SM2 - 20140121	VICTORIA'S SECRET	VICTORIA'S SECRET	PHOTOSHOOT - KANAHIA BEACH/KAHULUI	FX GROUP, INC	THACKERSON	10/03/2014	A W/COND-APPROVED WITH CONDITIONS	2380011190000
SM2 - 20140122	MATSUI, TIARA	TIARA MATSUI	MAIN DWELLING ADDITION/RENOVATION	TIARA MATSUI	SCOTT	10/13/2014	A W/COND-APPROVED WITH CONDITIONS	2220250090000

Grand Total : 5

APPENDIX A

PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 10/01/2014 - 10/15/2014



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

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20140180	KIHEI VILLAGES A0A0	GEN. MAINTENANCE/DRY ROT REPAIRS/KIHEI	ALOHA PROPERTY MANAGEMENT INC	CABAIS	10/09/2014	A-APPROVED	2380770020000 2380770020004
SM5 - 20140181	KIHEI VILLAGES	MAINTENANCE/REPAINT EXTERIOR BLDG/KIHEI	ALOHA PROPERTY MANAGEMENT	CABAIS	10/09/2014	A-APPROVED	2380770140000
SM5 - 20140302	PURE BARRE	COMMERCIAL ALTERATION	KRISTAL BATALONA THOMAS	AZBILL	10/06/2014	A-APPROVED	2370090040000
SM5 - 20140304	HYATT REGENCY MAUI	HOTEL ALTERATION: RETAIL SPACES TO OFF	CHRIS HART & PARTNERS, INC.	THACKERSON	10/02/2014	A-APPROVED	2440130080000
SM5 - 20140305	KAMAOLE SANDS	REMODEL POOL BATHROOMS/KIHEI	DAVID LUNDQUIST	AZBILL	10/06/2014	A-APPROVED	2390040040000
SM5 - 20140306	PUAMANA 160-1	INTERIOR DEMOLITION/LAHAINA	BRIAN VOLK	SCOTT	10/06/2014	A-APPROVED	2460320130000
SM5 - 20140307	HALE KAI CONDO	REROOF BUILDING A & B/LAHAINA	MARIE E KIMMEY	SCOTT	10/03/2014	A-APPROVED	2440010420000
SM5 - 20140308	LONO CENTER BUILDING	AIR CONDITIONING REPLACEMENT/KAHULUI	A&B PROPERTIES	LOPEZ	10/03/2014	A-APPROVED	2370070080000
SM5 - 20140309	KAHONUA O KALE LLC	INSTALL PV SYSTEM ON ROOF/KIHEI	CHARLES SPENCE	LOPEZ	10/08/2014	A-APPROVED	2390011230000
SM5 - 20140310	LIPOA COMMERCIAL CEN	ATF CONVERT 1 UNIT INTO 2/KIHEI	MICHELLE COCKETT	AZBILL	10/09/2014	A-APPROVED	2390022160000
SM5 - 20140311	WAILEA MF-II/WATER L	WATER METERS: LOT 42-A-1, 42-A-3, 42-A-4	CHRIS HART & PARTNERS, INC	SCOTT	10/10/2014	A-APPROVED	T21028001321942 T21028001321942 T21028001321942
SM5 - 20140312	MINIT STOP	REPLACE SIGN BOARD ON GROUND SIGNPAIA	NAGATA, CHIEKO	WADE	10/13/2014	A-APPROVED	2260030100000
SM5 - 20140313	MORELLI, RUDY	APARTMENT ALTERATIONS:	RUDY MORELLI	SCOTT	10/10/2014	A-APPROVED	2460290150000
SM5 - 20140314	303 FRONT STREET	PARTIAL SEAWALL DEMOLITION/LAHAINA	CHRISTINE HO	DACK	10/10/2014	A-APPROVED	2460030050000
SM5 - 20140315	KAANAPALI WASTEWATER	PUMP STATION MODIFICATIONS/LAHAINA	WASTEWATER RECLAMATION DIVISION	SCOTT	10/13/2014	A-APPROVED	2440080100000
SM5 - 20140316	MARILYN MONROE SPAS	INTERIOR SPA IMPROVEMENTS/LAHAINA	PRO DRAFT INC	THACKERSON	10/13/2014	A-APPROVED	2440130080000
SM5 - 20140317	A&B PROPERTIES INC	PARKING LOT DRAINAGE IMPROV/KAHULUI	A&B PROPERTIES, INC.	SCOTT	10/13/2014	A-APPROVED	2370070100000

Grand Total : 17