

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

AGENDA

DATE: FEBRUARY 24, 2015  
TIME: 9:00 A.M.  
PLACE: Planning Department Conference Room, First Floor, Kalana Building, 250 South High Street, Wailuku, Maui, Hawaii 96793

RECEIVED  
2015 FEB 13 AM 8:56  
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 HEARING (Action to be taken after public hearing.)
  - 1. MICHAEL MACLAUGHLIN and JENNIFER MACLAUGHLIN requesting a Bed and Breakfast Home Permit in order to operate the Jasmine House Bed and Breakfast, a three (3)-bedroom bed and breakfast located in the Rural District at 883 Kupulau Drive, TMK: 2-1-019: 076, Maui Meadows, Kihei, Island of Maui. (BBKM T2014/0002) (S. Lopez)
- D. COMMUNICATIONS
  - 1. Proposed moratorium on Short-Term Rental Homes (STRH) or proposal to reduce the cap. (Commissioner Jack Freitas)

The Commission may take an action within its purview.

- E. ACCEPTANCE OF THE ACTION MINUTES OF THE FEBRUARY 10, 2015 MEETING AND REGULAR MINUTES OF THE DECEMBER 9, 2014 AND JANUARY 13, 2015 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. TAE MURPHY requesting a two (2)-year time extension on the Special Management Area Use Permit condition in order to initiate construction of the Office Building at 40 Halekuai Street, TMK: 3-9-051: 019, Kihei, Island of Maui. (SM1 2005/0040) (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. Notification of the Issuance of the following Special Management Area (SMA) Emergency Permits:
  - a. January 29, 2015-approval letter to MR. FRANK RICE of ALLANA BUICK & BERS on behalf of the PAPAKEA AOA for a Special Management Area Emergency Permit to temporarily fill large cavities formed in the rear yard behind an existing seawall at the Papakea Condominium, 3543 Lower Honoapiilani Road, TMK: 4-4-001: 055, Lahaina, Island of Maui. (SM3 2015/0002) (SSA 2015/0007) (K. Scott)
  - b. February 6, 2015-approval letter to MR. FRANK RICE of ALLANA BUICK & BERS, INC. on behalf of the PAPAKEA AOA for a Special Management Area Emergency Permit to temporarily fill additional large cavities that have recently formed in the rear yard behind an existing seawall at the Papakea Condominium, 3543 Lower Honoapiilani Road, TMK: 4 4-001: 055, Lahaina, Island of Maui. (SM2 2015/0003) (SSA 2015/0008) (K. Scott)
3. SMA Minor Permit Report (Appendix A)
4. SMA Exemption Report (Appendix B)
5. Discussion of Future Maui Planning Commission Agendas
  - a. March 10, 2015 meeting agenda items

G. NEXT REGULAR MEETING DATE: March 10, 2015

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 February 24, 2015 was on February 9, 2015.

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\022415.age)



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

## PD-Approved SMA Minor Projects for Maui

02/11/2015

Permit Completion Date: 01/28/2015 - 02/11/2015

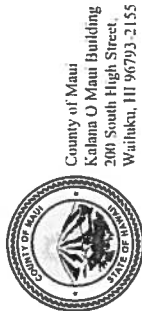
Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20150009	KIHEI BEACHFRONT	KIHEI BEACHFRONT RESORT, LLC	CONCRETE WALL, SHOWER ENCLOSURE, LANAI	MIMI HIU	SCOTT	02/10/2015	A.W/COND-APPROVED WITH CONDITIONS	2390080310000

Grand Total : 1

## APPENDIX A

# PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 01/28/2015 - 02/11/2015



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

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20150024	FEINBERG GALLERY	RETAIL ALTERATION - UNIT A-26/WAILEA	A FEINBERG PHOTOGRAPHY INC.	CABAIS	01/30/2015	A-APPROVED	2210080740000
SM5 - 20150025	ULULANI SHA VE ICE	RETAIL ALTERATION	DAVE WARD	A AKO	01/30/2015	A-APPROVED	2460090110000
SM5 - 20150026	IHALBACH, DEBORAH	CONSTRUCT EXTERIOR STAIRS/KIHEI	MCGOVERN, RICK	HIGA	02/04/2015	A-APPROVED	2210240380000
SM5 - 20150027	GANT, STEVE & GAIL	DWELLING ALTERATION/KIHEI	MCGOVERN, RICK	HIGA	02/04/2015	A-APPROVED	2210200080000
SM5 - 20150028	TOWN & COUNTRY LIGHT	STREET LIGHTING-REPLACEMENT/ LAHAINA	MAUI ELECTRIC COMPANY, LTD.	WADE	02/04/2015	A-APPROVED	2460010170000
SM5 - 20150030	CASTLETON, THOMAS	INSTALL PV SOLAR PANELS/KIHEI	RICK MCGOVERN	SCOTT	02/06/2015	A-APPROVED	2390170120000
SM5 - 20150031	MADISON CLUB TRUST	TWO BATHROOMS, NEW FLOORING/MAKENA	SATISH K. GHOLKAR	SCOTT	02/09/2015	A-APPROVED	2210070950014
SM5 - 20150033	AK&D HOLDINGS	POOL & SPA/KIHEI	TIM WORTHEN	HIGA	02/09/2015	A-APPROVED	2390180690000
SM5 - 20150034	KAY JEWELERS	RETAIL ALT: (SUITE 1019A)QKC - KAHULUI	DELA CRUZ, JEFF		02/09/2015	A-APPROVED	2370020200000
SM5 - 20150035	WILLIE K CONCERT TENT		ROBERT CRANE	AZBILL	02/10/2015	A-APPROVED	2440080050000
SM5 - 20150036	MAUI CONDO LLC	APARTMENT #311 ALTERATION/KIHEI	NIKO PREOVOLOS	SCOTT	02/10/2015	A-APPROVED	23900040250035
SM5 - 20150037	SCHMITT, JONATHAN	CONSTRUCT AG/STORAGE BLDG/HANA	JONATHAN SCHMITT		02/10/2015	A-APPROVED	2130090870000
SM5 - 20150038	LOWEN, ALAN	AG WORKSHOP & STORAGE SHED/HUELO	ALAN LOWEN	AZBILL	02/10/2015	A-APPROVED	2290050570000

Grand Total : 13