

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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2015 MAY 14 PM 4:11

AGENDA

OFFICE OF THE
COUNTY CLERK

DATE: MAY 26, 2015
TIME: 9:00 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building,
250 South High Street, Wailuku, Maui, Hawaii 96793

Members: John "Keone" Ball (Chair), Max Tsai (Vice-Chair), Sandra Duvauchelle,
Wayne Hedani, Richard Higashi Larry Hudson, Ivan Lay, Jason Medeiros,
Keaka Robinson

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 to the Maui Planning Commission a draft bill for an ordinance proposing amendments to Chapter 19.52, Maui County Code, relating to architectural and sign design in Maui County Historic Districts 1 and 2. (A. Kehler)
2. AMANDA and CATHLEEN WILSON and MIKE and ROXANNE WHITEHURST requesting a State Land Use Commission Special Use Permit and a Short-Term Rental Home Permit in order to operate a six (6) bedroom short-term rental home operation in two dwellings located in the State Agricultural District at 562 Kai Hele Ku Street, TMK: 4-7-009: 044, Lahaina, Island of Maui. (SUP2 2015/0001) (STWM T2015/0001) (G. Flammer)

This short-term rental home application is being referred to the Maui Planning Commission for review and action because there are less than forty lots within 500 feet of the proposed short-term rental home and 30 percent or more submitted written protests to the director.

D. PENDING LITIGATION

1. Judicial appeal of the Commission's denial of the request by MR. TERRY EPSTEIN for a State Land Use Commission Special Use Permit and a Short-Term Rental Home Permit in order to operate the Shambala Short-Term Rental Home, a six (6)-bedroom short-term rental home in the State Agricultural District at 120 Kaimanu Place, TMK: 2-1-019: 100, Wailea, Kihei, Island of Maui. (SUP2 2012/0030) (STKM T2012/0012) (D. Dias)

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE COMMISSION TO CONSULT WITH ITS ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE COMMISSION'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES, PURSUANT TO SEC. 92-5(a)(4), HRS.

2. Judicial appeal of the Commission's denial of the request by MR. FREDRICK R. HONIG of the SPIRIT OF ALOHA TEMPLE for a State Land Use Commission Special Use Permit 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)

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE COMMISSION TO CONSULT WITH ITS ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE COMMISSION'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES, PURSUANT TO SEC. 92-5(a)(4), HRS.

E. ACCEPTANCE OF THE ACTION MINUTES OF THE MAY 12, 2015 MEETING AND REGULAR MINUTES OF THE APRIL 28, 2015 MEETING

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:

- a. SAM and JOHN GARCIA requesting a two(2)-year time extension on the Special Management Area Use Permit condition to initiate construction of the Garcia Family Subdivision at TMK: 2-1-007: 067, Makena, Island of Maui. (SM1 2002/0016)(C. Thackerson)

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.

- b. MR. CHARLES JENCKS, Owners Representative for HONUULA PARTNERS, LLC requesting a two(2)-year time extension on the Special Management Area Use Permit condition to initiate construction of the proposed Wailea Alanui Drive and Wailea Ike Drive Intersection Improvements at TMK: 2-1-008: 118, 131, and 134, Wailea, Island of Maui. (SM1 2009/0012)(C. Thackerson)

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.

- c. MR. GRANT Y.M. CHUN, Vice-President of A&B PROPERTIES, INC. requesting a two(2)-year time extension on the Special Management Area Use Permit condition to initiate construction of the Kane Street Commercial Mixed-Use Project and related improvements at TMK: 3-7-005: 003, 011, and 023 (por.), Kahului, Island of Maui. (SM1 2005/0004)(C. Thackerson)

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. June 9, 2015 meeting agenda items

G. NEXT REGULAR MEETING DATE: June 9, 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 May 26, 2015 was on May 11, 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\052615.age)

PD-Approved SMA Minor Projects for Maui

Permit Completion Date: 04/29/2015 - 05/13/2015



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

| Permit # | Project | Description | Permit Name | Applicant Name | Planner | Completed Date | Decision | TMK(s) |
|----------------|----------------------|-------------------------------------|--|----------------------------------|---------|----------------|-----------------------------------|----------------|
| SM2 - 20150029 | WESTERN CANDY | WESTERN CANDY CONFERENCE | TENTS FOR EVENT ON 3/21/15 - KAAHAPALI | MAUI RENTS, INC. | | 04/29/2015 | A W/COND-APPROVED WITH CONDITIONS | 2-440080050000 |
| SM2 - 20150030 | WORLDMARK - THE CLUB | WORLDMARK - THE CLUB AT KIHU, MAUI | PHOTOVOLTAIC INSTALLATION/KIHEI | RFC SOLAR COMMERCIAL CORPORATION | DIAS | 05/05/2015 | A W/COND-APPROVED WITH CONDITIONS | 2390180170000 |
| SM2 - 20150031 | BOSWELL, WILLIAM | BOSWELL, WILLIAM & JONES, CHRISTINE | MAIN FARM DWELL/ GARAGE / COV LANAI/HIKI | BOSWELL, WILLIAM D | SCOTT | 05/05/2015 | A W/COND-APPROVED WITH CONDITIONS | 22800411-40000 |
| SM2 - 20150032 | STARK RESIDENCE | STARK RESIDENCE | RENOVATION OF UNIT P3-4/ KAPALUA | JOEL N CORPUZ | SCOTT | 05/07/2015 | A W/COND-APPROVED WITH CONDITIONS | 2-420010280141 |
| SM2 - 20150033 | RODDENBERRY POOL | RODDENBERRY POOL | REMOVE OLD NEW POOL AND SPALAHINA | JAMES LICRON | SCOTT | 05/11/2015 | A W/COND-APPROVED WITH CONDITIONS | 2430150580000 |

Grand Total : 5

APPENDIX A

PD-Approved SMA Exempt Projects for Maui

05/13/2015

Permit Completion Date: 04/29/2015 - 05/13/2015



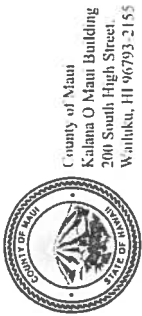
County of Maui
Kalana O Maui Building
200 South High Street
Waikuku, HI 96793-2155

| Permit # | Project | Permit Name | Applicant Name | Planner | Completed Date | Decision | TAK(s) |
|----------------|----------------------|--|--|---------|----------------|------------|---------------|
| SM5 - 20150135 | ANASTASIA COLT | PAVERS IN YARD SPACE / NAPII | ANASTASIA COLT | AZBILL | 04/29/2015 | A-APPROVED | 2430031080002 |
| SM5 - 20150136 | DOLLIES PUB & CAFE K | REPLACE GREASE INTERCEPTOR/KAIHANA | ALLENS PLUMBING INC | | 04/29/2015 | A-APPROVED | 2430100110000 |
| SM5 - 20150138 | HALE PAU HANA | BUILDING A/B/C REEROOF, ETC - KIHEI | MICHELLE COCKETT | SCOTT | 05/01/2015 | A-APPROVED | 2390050060000 |
| SM5 - 20150139 | WALDROP, VALERIE | INTERIOR RENOVATIONS/LAHAINA | VALERIE WALDROP | SCOTT | 05/01/2015 | A-APPROVED | 2460300290000 |
| SM5 - 20150141 | WORLDMARK - THE CLUB | PHOTOVOLTAIC INSTALLATION/KIHEI | REC SOLAR COMMERCIAL CORPORATION | DIAS | 05/05/2015 | A-APPROVED | 2390180170000 |
| SM5 - 20150142 | BOSWELL, WILLIAM | MAIN FARM DWELL/ GARAGE/ COV LANAI/HAIK | BOSWELL, WILLIAM D | SCOTT | 05/05/2015 | A-APPROVED | 2280041140000 |
| SM5 - 20150143 | THAILAND CUISINE | TENT PERMIT PRIVATE GRAD PARTY/KIHEI | LAVONG THEUNG, PHOUKONG | AZBILL | 05/05/2015 | A-APPROVED | 2390030160000 |
| SM5 - 20150144 | VELOZ, YOLANDA | APARTMENT ALTERATION - UNIT 511 | MICHAEL ICHIMARU | SCOTT | 05/05/2015 | A-APPROVED | 2390040230053 |
| SM5 - 20150145 | MIKHIALEV, PETER | INSTALL PV SOLAR SYSTEM/KIHEI | PETER MIKHIALEV | AZBILL | 05/05/2015 | A-APPROVED | 2210081170121 |
| SM5 - 20150146 | KIRC MAHINA'AI NIGHT | COMM BUILDING EVENTS/KIHEI | KAI'O'OLAWA ISLAND RESERVE COMMISSION | AZBILL | 05/06/2015 | A-APPROVED | 2390040010000 |
| SM5 - 20150147 | WESTIN MAUI | SOLDIERS WALK (SALES/MRKTG AREA)/LAHAINA | CARLOS RIVERA | DIAS | 05/06/2015 | A-APPROVED | 2440080190000 |
| SM5 - 20150149 | LAIRD, EDITH TTEE | APARTMENT ALT (UNIT #4) / LAHAINA | JOEL N CORPUZ | | 05/07/2015 | A-APPROVED | 2420060010004 |
| SM5 - 20150150 | KAANAPALI ALII | INTERIOR PLANT SYSTEM, WASTEWATER LINES | ASSOCIATION OF APARTMENT OWNERS OF KAAANAPALI ALII | SCOTT | 05/12/2015 | A-APPROVED | 2440080220000 |
| SM5 - 20150151 | NAPILI KAI RESORT | INTERIOR REMODEL, BUILDING 4 / LAHAINA | GREG NELSON | DIAS | 05/07/2015 | A-APPROVED | 2430020290000 |
| SM5 - 20150152 | CNS MAUI ASSOCIATES | RENOVATION OF RESIDENCE/PAIA | JANINE SHINOKI CLIFFORD | BUIKA | 05/07/2015 | A-APPROVED | 2380020350000 |
| SM5 - 20150153 | MURRAY, NEIL & KATHL | SWIMMING POOL/SPA - KIHEI | KATHLEEN MURRAY | HIGA | 05/08/2015 | A-APPROVED | 2390300370000 |
| SM5 - 20150154 | REIN, MARK | CONSTRUCT NEW POOL, SPA & STAIRS/KIHEI | MARK REIN | | 05/11/2015 | A-APPROVED | 2210250100000 |
| SM5 - 20150155 | MAUI MATSURI 2015 | TEMPORARY TENTS FORS/16/15 EVENT/KAHULUI | OTSUKA, FAYE | AZBILL | 05/11/2015 | A-APPROVED | 2380070400000 |
| SM5 - 20150156 | RUTZ, MICAH | DEMOLITION / KIHEI | MICAH RUTZ | | 05/12/2015 | A-APPROVED | 2390180400000 |

PD-Approved SMA Exempt Projects for Maui

05/13/2015

Permit Completion Date: 04/29/2015 - 05/13/2015



| Permit # | Project | Permit Name | Applicant Name | Planner | Completed Date | Decision | TMK(s) |
|----------------|----------------------|--|-------------------|---------|----------------|------------|---------------|
| SM5 - 20150157 | QUEEN KAAHUMANU CTR | SPACE IF01 DEMOLITION & RE-DEMISE/KAHULU | ROBERT HARTMAN | AZBILL | 05/12/2015 | A-APPROVED | 2370020200000 |
| SM5 - 20150158 | CENTRAL PACIFIC BANK | REPLACE AIR CONDITIONING/KAHULU | EARL H. KONO, AIA | | 05/12/2015 | A-APPROVED | 2370070100000 |

Grand Total : 21