

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

AGENDA

DATE: DECEMBER 8, 2015
TIME: 9:00 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building,
250 South High Street, Wailuku, Maui, Hawaii 96793

RECEIVED
2015 NOV 30 PM 2:55
OFFICE OF THE
COUNTY CLERK

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 HEARING (Action to be taken after public hearing.)

1. MR. WILLIAM SPENCE, Planning Director transmitting Council Resolution No. 15-112 referring to the Lanai, Maui, and Molokai Planning Commissions a proposed bill to amend the comprehensive zoning ordinance to permit affordable accessory dwellings in Residential Districts. (RFC 2015/0153) (J. Alueta)

The Council is considering a proposed bill to permit accessory dwellings in residential districts on properties of between 5,000 and 7,499 square feet, for the purpose of increasing the availability of affordable housing.

The proposed legislation is available at <http://co.maui.hi.us/index.aspx?nid=121>

2. MR. WILLIAM SPENCE, Planning Director, transmitting a proposed bill to the Lanai, Maui, and Molokai Planning Commissions to amend the comprehensive zoning ordinance to allow accessory dwellings on lots less than 7,500 sq. ft, and to allow an additional accessory dwelling on lots 12,000 sq. ft. or greater. Further, the bill proposes to clarify the restriction on covered and uncovered deck areas, measurement of floor area, and to restrict accessory dwellings to long-term residential use. (J. Alueta)

The proposed legislation is available at <http://co.maui.hi.us/index.aspx?nid=121>

3. KAA NAPALI BEACH HOTEL requesting Special Management Area Use Permit and Shoreline Setback Variance time extensions to extend the period to complete construction of the project until August 31, 2020 for the Kaanapali Beach Hotel Restaurant/Canoe Hale at 2525 Kaanapali Parkway, TMK: 4-4-008: 003, Kaanapali, Lahaina, Island of Maui. (SM1 90/0040) (A. Cua)

The project includes the construction of a 9,940 square foot (sq. ft.) commercial restaurant and a canoe hale for outrigger canoe storage at the existing Kaanapali Beach Hotel.

4. MR. BRUCE NEWNAN requesting a Short-Term Rental Home Permit in order to operate the Holomakani Retreat Short-Term Rental Home, a four (4) bedroom short-term rental home located in the R-3 Residential District at 34 Holomakani Place, TMK: 4-4-009: 028, Lahaina, Island of Maui. (STWM T2015/0015) (T. Furukawa)

The application is being taken to the Maui Planning Commission for action because there is a permitted short-term rental operation located within 500 ft. of the subject property.

D. COMMUNICATIONS

1. BURNHAM USA requesting design modifications to the approved Special Management Area Use Permit plans for the Wailea Old Blue/Shops on the Green project at TMK: 2-1-008:118, Wailea, Island of Maui. (SM1 2012/0001) (C. Thackerson)

The Commission may take action on this request.

2. T.J. GOMES TRUCKING CO., INC. requesting a transfer of the State Land Use Commission Special Use Permit from JACK FREITAS to T.J. GOMES TRUCKING CO. INC. in order to operate truck and towing, automobile storage, processing, and baseyard operations at 301 Hansen Road, TMK: 3-8-001: por. of 002, Puunene, Island of Maui. (SUP2 2008/0002) (E.Aako)

The Commission may take action on this request.

E. UNFINISHED BUSINESS

1. MICHAEL AND LYNN FLEETWOOD requesting a Short-Term Rental Home (STRH) Permit to operate a four (4) bedroom STRH, Serene Napili Hale STRH, in the County R-2 Residential Zoning District and State Urban District on approximately 22,000 square feet of land located at 5150 Lower Honoapiilani Road, TMK: 4 3-003: 040, Lahaina, Island of Maui. (STWM T2015/0007) (K. Wollenhaupt)

The application is being brought before the Commission as there is another permitted STRH located within 500 feet of the subject property and two (2) or more adjacent neighbors filed a written protest within the specified 45-day time period. (Deferred at the September 22, 2015 meeting.)

The Commission may take action on this request.

F. SMA SETTLEMENT AGREEMENTS

1. Approval of Settlement Agreement with the owner of the Maalaea Yacht Marina for doing minor concrete repair work without submitting an SMA Assessment application for property at Maalaea, Island of Maui.. (C. Cortez)

The Commission may take action on this request.

G. ACCEPTANCE OF THE ACTION MINUTES OF THE NOVEMBER 24, 2015 MEETING

H. DIRECTOR'S REPORT

1. SMA Minor Permit Report
2. SMA Exemptions Report
3. Discussion of Future Maui Planning Commission Agendas
 - a. January 12, 2016 meeting agenda items

I. NEXT REGULAR MEETING DATE: JANUARY 12, 2016

J. 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 December 8, 2015 was on November 23, 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\120815.age)

PD-Approved SMA Minor Projects for Maui

Permit Completion Date: 11/10/2015 - 11/23/2015



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

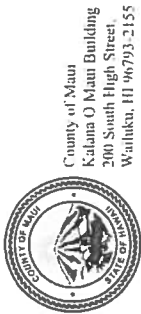
Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20150090	LAHAINA 2ND FRIDAY	LAHAINA 2ND (SECOND) FRIDAY EVENTS - 2016	LAHAINA 2ND FRIDAY EVENTS - 2016	LAHAINA TOWN ACTION COMMITTEE/LYNN DONOVAN	AAKU	11/17/2015	A W/COND-APPROVED WITH CONDITIONS	2-46-0080060000
SM2 - 20150091	COURTLANDT GATES	COURTLANDT GATES WATER WELL	SMA APP BOREHOLE/HAIKU	COURTLANDT GATES	SCOTT	11/17/2015	A W/COND-APPROVED WITH CONDITIONS	227-007018000000
SM2 - 20150092	THE WHALER	THE WHALER - GUARDHOUSE RENOVATION	TOWER II LANDSCAPE PROJECT/KAAANAPALI	MWA, INC	SCOTT	11/16/2015	A W/COND-APPROVED WITH CONDITIONS	2-4-0080020000
SM2 - 20150094	MAUI JIM INVITATIONA	MAUI JIM INVITATIONAL	MAUI INVITATIONAL LUAAU, PICNIC CONFERENCE	MAUI RENTS, INC	THACKERSON	11/18/2015	A W/COND-APPROVED WITH CONDITIONS	2-4-0080050000

Grand Total : 4

ATTACHMENT A

PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 11/10/2015 - 11/23/2015



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 - 20150338	WAILEA BEACH MARRIOTT	REPAIR AND MAINTENANCE ACTIONS/WAILEA	SUNSTONE HAWAII 3-0 LLC	SCOTT	11/10/2015	A-APPROVED	2210080610000
SM5 - 20150339	MERCEDES-BENZ	GROUND SIGN / KAHULUI	PACIFIC SIGN & DESIGN, INC.	QUIGLESS	11/10/2015	A-APPROVED	2370110030000
SM5 - 20150340	HENDRIX, MICHAEL &	REPLACE EXISTING WINDOW #809/LAHAINA	MONTY CARPENTER	QUIGLESS	11/18/2015	A-APPROVED	2430100070145
SM5 - 20150341	HENDRIX, MICHAEL	REPLACE WINDOW IN BEDROOM/LAHAINA	MONTY CARPENTER	QUIGLESS	11/18/2015	A-APPROVED	2430100070168
SM5 - 20150342	AOAO KAAPALI SHORE	AOAO KAAPALI SHORES/LAHAINA	MARY ANN ARCILLA		11/17/2015	A-APPROVED	2440010970000
SM5 - 20150343	NUTCHAREE'S AUTHENT'I	RESTAURANT ALTERATION/KIHEI	NUTCHAREE CASE	CABAIS	11/17/2015	A-APPROVED	2390080280000
SM5 - 20150344	MCNICHOLAS, MICHAEL	DWELLING REPAIRS / KIHEI	MICHAEL MCNICHOLAS	SCOTT	11/18/2015	A-APPROVED	2210240090000
SM5 - 20150345	YAMADA RESIDENCE	DEMOLITION/NEW MAIN DWELLING, GARAGE	KARL T. YAMADA	SCOTT	11/18/2015	A-APPROVED	2440010200000
SM5 - 20150346	T-MOBILE III102104A	SMA APP/ANTENNA/LAHAINA	T-MOBILE WEST LLC	AAKO	11/18/2015	A-APPROVED	2460020070000
SM5 - 20150348	OCEANIC TIME WARNER	REPAIR/REPLACE TOWER SECTIONS/HANA	OCEANIC TIME WARNER CABLE LLC	SCOTT	11/20/2015	A-APPROVED	2130030370000
SM5 - 20150349	LENNY, K.	MAIN DWELLING ADDITION -- ATF	ROBERT SWIFT	SCOTT	11/23/2015	A-APPROVED	2260130070000

Grand Total : 11