

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

**UNOFFICIAL AGENDA - HYPERLINKS TO MEETING MATERIALS
ADDED FOR INFORMATIONAL PURPOSES ONLY**

DATE: NOVEMBER 14, 2017
TIME: 9:00 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building,
250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Sandra Duvauchelle (Chair), Richard Higashi (Vice-Chair), Lawrence Carnicelli,
Stephen Castro, Tina Gomes, Larry Hudson, Keaka Robinson, Christian Tackett

A. CALL TO ORDER

B. PUBLIC TESTIMONY - Public testimony will be taken when each agenda item is discussed. Testimony will be limited to a maximum of three (3) minutes.

C. PUBLIC HEARINGS (action to be taken after public hearing.)

1. MR. JAMES D. WALTERS, JR. and MS. NATALIE WALTERS requesting a State Land Use Commission Special Permit and Bed and Breakfast Home Permit in order to operate the Hale Leialoha B&B, a two (2)-bedroom bed and breakfast home located in the State Agricultural District at 1539 Hogback Road, TMK: 2-7-012:202, Haiku, Island of Maui, Hawaii (SUP2 2017/0010) (BBPH T2017/0005) (K. Wollenhaupt for L. Callentine)

[Report](#)

[Exhibits](#)

[Recommendation](#)

The Maui Planning Commission is the approving authority for the Bed and Breakfast Home Permit because "an existing bed and breakfast home is operating on a lot within a five hundred-foot distance from the lot on which the bed and breakfast home is proposed." §19.64.050(A)3(c), Maui County Code.

2. MS. KANZA STOTT requesting a State Land Use Commission Special Permit in order to operate the Stott B&B, a three (3)-bedroom bed and breakfast located in the State Agricultural District at 195 Apuwai Street, TMK: 2-7-036: 016, Haiku, Island of Maui. (SUP2 2017/0014) (K. Willenbrink)

[Report](#)

[Exhibits](#)

[Recommendation](#)

D. COMMUNICATIONS

1. ATC MAKENA HOLDINGS, LLC requesting amendments to the approved Special Management Area Use Permit plans for the Makena H-M Project at 5400 Makena Alanui Road, TMK: 2-1-005: 086 (por.), Makena, Island of Maui. (SM1 2013/0013) (A. Cua)

[Report](#)

[Exhibits](#)

[Recommendation](#)

The proposed amendment is to pursue a lower density development alternative including the demolition of the existing 310 room hotel structure which was

previously planned to be converted into 50 multi-family condominium units as well as other related modifications.

The Commission may take action on this request.

2. SUZIE L. LAURICIO requesting a ten (10)-year Special Management Area Use Permit time extension to initiate construction and a 30-year time extension on the County Special Use Permit for the Iglesia Ni Cristo Church at TMK: 4-5-014: 009, Lahaina, Island of Maui. (SM1 2008/0025) (CUP 2008/0006) (P. Fasi)

[Report & Recommendation](#) [Exhibits](#)

The Commission may take action on these requests.

3. MAUI BEACH RESORT LIMITED PARTNERS submitting an [annual report](#) regarding the disbursement of funds in the Settlement Agreement for the Special Management Area Use Permit and the 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, Island of Maui. (SM1 2004/0017) (PD2 2004/0005) (C. Thackerson)

Condition No. 32 of the SMA approval (SM1 2004/0017) states:

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.

The Commission may review and comment on the Report

4. Investigative Committee (Commissioners Carnicelli and Hudson's) Report on the following:

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 requests administratively:

MR. ALFRED FAIRBANKS requesting a Special Management Area Use Permit two (2)-year time extension to initiate construction of the Alahale Estates Subdivision a 46-lot single family subdivision with related improvements at 0 Alahale Place, TMK: 3-9-017: 034, Kihei, Island of Maui. (SM1 2007/0006) (J. Buika)

The Investigative Committee was created at the October 10, 2014 meeting.

E. UNFINISHED BUSINESS

1. Mr. Alan Berman requesting a [State Land Use Commission Special Permit](#) in order to use two farm dwellings with a total of five (5) bedrooms to operate a Short-Term Rental Home (STRH) in the State Agricultural District on approximately 2.058 acres of land located at 680 Kai Hele Ku Street, TMK: 4-7-010:063 (0001) and (0002), Lahaina, Island of Maui, (SUP2 2017/0007) (K. Wollenhaupt) (Public hearing was conducted on August 8, 2017.)

The 120-day deadline for the Commission to make a decision is December 6, 2017

The Commission may take action on this request.

F. ACCEPTANCE OF THE [ACTION MINUTES](#) OF THE OCTOBER 24, 2017 MEETING AND REGULAR MINUTES OF THE SEPTEMBER 26, 2017 AND OCTOBER 10, 2017 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 requests administratively:
 - a. MR. GRANT Y.M. CHUN of WAILEA MF-7 LLC requesting a two (2)-year Special Management Area Use Permit [time extension](#) to initiate construction of the Wailea MF-7 Multi-Family Residential Project at Kai Malu Drive, TMK: 2-1-008: 116, Wailea, Island of Maui. (SM1 2006/0038) (PD1 (2006/0004) (PD3 2007/0004) (P. Fasi)

The Commission is being asked to waive or not waive its review.

The Commission may take action on this request.

- b. MP VENTURE, LLC requesting a 2-year [time extension](#) on the Special Management Area Use Permit condition to complete construction and for non-substantive design changes for the Maui Palms Hotel Redevelopment Project at TMK: 3-7-003:007:0002, Kahului, Island of Maui. (SM1 2001/0012) (C. Thackerson)

The Commission is being asked to waive or not waive its review.

The Commission may take action on this request.

2. Native Hawaiian Law Workshop - December 9, 2017

3. SMA Minor Permit Report
4. SMA Exemptions Report
5. Discussion of Future Maui Planning Commission Agendas
 - a. November 28, 2017 agenda items

H. NEXT REGULAR MEETING DATE: November 28, 2017

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 November 14, 2017 was on October 30, 2017.

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 TWO MINUTES MAY BE ESTABLISHED BY THE COMMISSION ON INDIVIDUAL TESTIMONY.

WRITTEN AND/OR EMAILED TESTIMONY REQUESTED SHOULD BE RECEIVED AT LEAST TWO (2) BUSINESS DAYS BEFORE THE MEETING TO ENSURE 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 AND/OR EMAILS 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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