

**MAUI PLANNING COMMISSION
SUMMARY MINUTES
NOVEMBER 13, 2018**

(HYPERLINK TO AUDIO RECORDING OF THE MEETING)

A. CALL TO ORDER

The regular meeting of the Maui Planning Commission was called to order by Chairperson Keaka Robinson at approximately 9:11 a.m., Tuesday, November 13, 2018, Planning Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui.

A quorum of the Commission was present. (See Record of Attendance.)

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

B. PUBLIC HEARINGS (Action to be taken after each public hearing.)

1. MS. MICHELE MCLEAN, Planning Director, transmitting Council Resolution No. 18-24 referring to the Maui Planning Commission proposed bills to amend the Wailuku-Kahului Community Plan and land use map and to change the zoning for the Saint Anthony Church and Schools property located on Lower Main Street, TMK: (2) 3-4-019: 003 and 3-4-018: 106, Wailuku, Island of Maui. (CPA 2018/0003) (CIZ 2018/0003) (P. Fasi)
 - a. Community Plan Amendment Single-Family to Public/Quasi-Public for TMK: (2) 3-4-018: 106 (approximately 0.3 acre)
 - b. Zoning change from R-1 Residential District to P-2 Public/Quasi-Public District for TMKs: (2) 3-4-019: 003 (approximately 0.3 acres) and (2) 3-4-018: 106 (approximately 14 acres)

(Item B 1 begins at 0:01:10 of the audio recording.)

Community Plan Amendment

(Motion was made at 00:17:58 of the audio recording.)

It was moved by Kahu Hill, seconded by Ms. La Costa, then

(Vote was taken at 00:20:10 of the audio recording.)

VOTED: To Recommend Approval of the Community Plan Amendment to the County Council as Recommended by the Department.

**(Assenting – A. Hill, P D. La Costa, L. Carnicelli, K. Pali, L. Hudson,
C. Tackett, S. Castro)**

(Excused – T. Gomes)

Zoning Change

It was moved by Kahu Hill, seconded by Ms. La Costa, then

(Vote was taken at 00:20:45 of the audio recording.)

VOTED: To Recommend Approval of the Zoning Change to the County Council as Recommended by the Department.

**(Assenting – A. Hill, P. D. La Costa, L. Carnicelli, K. Pali, L. Hudson,
C. Tackett, S. Castro)**

(Excused – T. Gomes)

2. RD OLSON INVESTMENTS II, LLC requesting a Step I Planned Development Approval, a Step II Planned Development Approval, and Special Management Area Use Permit in order to construct Hotel Ike, a 110-unit hotel in two (2) buildings with pool, spa, fitness center, lounge and on-site parking located in the A-2 Apartment and H-M Hotel Districts at 55 Gateway Place, TMK: (2) 2 1-028:004, Wailea, Island of Maui.(PD1 2018/0001) (PD2 2018/0002) (SM1 2017/0004) (C. Thackerson)

(Item B 2 begins at 00:21:30 of the audio recording.)

Step I Planned Development Approval

(Motion was made at 00:59:00 of the audio recording.)

It was moved by Mr. Carnicelli, seconded by Mr. Castro, then

(Vote was taken at 01:00:30 of the audio recording.)

VOTED: To Approve the Step I Planned Development Approval, as Recommended by the Department.

**(Assenting – L. Carnicelli, S. Castro, A. Hill, K. Pali, L. Hudson,
C. Tackett, P D. La Costa)**

(Excused – T. Gomes)

Step II Planned Development Approval

(Motion was made at 01:27:00 of the audio recording.)

It was moved by Mr. Carnicelli, seconded by Ms. Pali, then

(Vote was taken at 01:27:25 of the audio recording.)

VOTED: To Approve the Step II Planned Development Approval, as

Recommended by the Department.

**(Assenting – L. Carnicelli, K. Pali, A. Hill, L. Hudson, C. Tackett,
S. Castro, P D. La Costa)
(Excused – T. Gomes)**

Special Management Area Use Permit

(Motion was made at 01:49:30 of the audio recording.)

It was moved by Mr. Carnicelli, seconded by Mr. Castro, then

(Vote was taken at 01:52:40 of the audio recording.)

VOTED: To Approve the Special Management Area Use Permit, as Recommended by the Department with Recommended Conditions.

**(Assenting – L. Carnicelli, S. Castro, A. Hill, K. Pali, C. Tackett)
(Dissenting – L. Hudson, P D. La Costa)
(Excused – T. Gomes)**

3. MS. MICHELE McLEAN, Planning Director, transmitting Council Resolution No. 18-149 to the Lanai, Maui, and Molokai Planning Commissions containing a proposed bill to establish a zoning district to be known as the Wellhead Protection Overlay District. (D. Raatz)

(Item B 3 begins at 0:01:53:20 of the audio recording.)

(Motion was made at 02:52:47 of the audio recording.)

It was moved by Mr. Carnicelli, seconded by Ms. La Costa, then

(Vote was taken at 02:53:30 of the audio recording.)

VOTED: To Recommend Approval of Council Resolution No. 18-149 to the County Council with the Recommendations of the Commission as Discussed.

**(Assenting – L. Carnicelli, P D. La Costa, A. Hill, K. Pali, L. Hudson,
C. Tackett, S. Castro)
(Excused – T. Gomes)**

4. MS. MICHELE McLEAN, Planning Director, transmitting proposed amendments to Title 19 of the Maui County Code to increase the penalty for the operation of a transient accommodation without a necessary permit from the current \$1,000 to a civil fine of up to \$20,000 plus \$10,000 per day for each day the unlawful operation persists. (D. Raatz)

(Item B 4 begins at 02:53:28 of the audio recording.)

(Motion was made at 03:52:25 of the audio recording.)

It was moved by Ms. La Costa, seconded by Kahu Hill, then

(Vote was taken at 03:56:34 of the audio recording.)

VOTED: To Recommend Approval of the Proposed Amendments to Title 19 of the Maui County Code to Increase the Penalty for Operation of a Transient Accommodation Without a Necessary Permit to the County Council as Recommended by the Department with the Discussed Revisions.

**(Assenting – P D. La Costa, A. Hill, L. Carnicelli, K. Pali, L. Hudson,
C. Tackett, S. Castro)**

(Excused – T. Gomes)

5. MS. MICHELE McLEAN, Planning Director, transmitting proposed amendments to the Planning Commission's Rules of Practice and Procedure to authorize the submittal of electronic documents as official documents, in anticipation of Maui County's implementation of the Maui Automated Planning and Permitting System. (D. Raatz)

(Item B 5 begins at 03:57:00 of the audio recording.)

(Motion was made at 04:08:14 of the audio recording.)

It was moved by Mr. Carnicelli, seconded by Ms. La Costa, then

(Vote was taken at 04:08:25 of the audio recording.)

VOTED: To Approve the Amendments to the Maui Planning Commission's Rules of Practice and Procedure to Authorize the Submittal Electronic Documents as Official Documents, as Recommended by the Department.

**(Assenting – L. Carnicelli, P D. La Costa, A. Hill, K. Pali, L. Hudson,
S. Castro)**

(Excused – T. Gomes, C. Tackett)

C. UNFINISHED BUSINESS

1. RU LI requesting a Bed and Breakfast Home Permit in order to operate Ruby's Ocean View B&B, a two-bedroom bed and breakfast located in the Interim District at 1367 Kilou Street, TMK: (2) 3-2-020: 052, Wailuku, Island of Maui. (BBWK T2018/0002) (J. Burkett) (Public Hearing was conducted on October 9, 2018 and the matter was deferred.)

The Commission may take action on this request.

(Item C 1 begins at 04:09:05 of the audio recording.)

(Motion was made at 04:58:14 of the audio recording.)

It was moved by Ms. La Costa, seconded by Mr. Castro, then

(Vote was taken at 05:07:30 of the audio recording.)

VOTED: To Approve the Bed and Breakfast Home Permit with the Recommended Conditions of the Department.

**(Assenting – P D. La Costa, S. Castro, L. Carnicelli - Abstained,
A. Hill - Abstained, K. Pali)**

(Recused – K. Robinson)

(Excused – T. Gomes, C. Tackett)

B. PUBLIC HEARINGS (Action to be taken after each public hearing.)

6. DION ABBOTT and IRIS LIN requesting a State Land Use Commission Special Permit in order to operate the Hale Ola a Ululani Short-Term Rental Home in the State Agricultural District on approximately 87,226 sq. ft. of land located in the State Agricultural District at 19 Ululani Street, TMK: (2) 2-2-010: 046, Kula, Island of Maui. (SUP2 2017/0026) (K. Willenbrink)

(Item B 6 begins at 05:08:05 of the audio recording.)

(Motion was made at 05:21:35 of the audio recording.)

It was moved by Mr. Carnicelli, seconded by Mr. Castro, then

(Vote was taken at 05:22:05 of the audio recording.)

VOTED: To Approve the State Land Use Commission Special Permit, as Recommended by the Department.

**(Assenting – L. Carnicelli, S. Castro, A. Hill, K. Pali, P D. La Costa)
(Excused – T. Gomes, C. Tackett, L. Hudson)**

7. HUE THI HA requesting a Short-Term Rental Home Permit in order to operate the Lahaina Blue Villa STRH, a three (3) bedroom short-term rental home located in the R-1 Residential District at 211 Panaewa Place , TMK: (2) 4-6-010: 019, Lahaina, Island of Maui. (STWM T2017/0030) (R. Quigless)

The Commission is reviewing the application because there are at least 2 permitted short-term rental home operations located within 500 ft. of the subject property.

(Item B 7 begins at 05:22:38 of the audio recording.)

(Motion was made at 05:25:09 of the audio recording.)

It was moved by Mr. Castro, seconded by Ms. La Costa, then

(Vote was taken at 05:30:00 of the audio recording.)

VOTED: To Approve the Short-Term Rental Home Permit as Recommended by the Department with Conditions.

**(Assenting – S. Castro, P. D. La Costa, L. Carnicelli, A. Hill,
K. Pali-Abstained)**

(Excused – T. Gomes, C. Tackett, L. Hudson)

D. DIRECTOR'S REPORT

(Item D begins at 05:30:35 of the audio recording.)

1. SMA Minor Permit Report

This is for notification and review purposes. No action is anticipated.

2. SMA Exemptions Report

This is for notification and review purposes. No action is anticipated.

The Commission had no questions on the SMA Minor and SMA Exemption Permit Reports.

3. Discussion of Future Maui Planning Commission Agendas

a. November 27, 2018 agenda items

Ms. McLean went over the memorandum from Mr. Clayton Yoshida regarding the items scheduled for the November 27, 2018 meeting. She took a poll of the Commission Members that would be available for a special meeting on December 18, 2018 to take up the public hearing for the SMA Rule amendments.

E. NEXT REGULAR MEETING DATE: NOVEMBER 27, 2018

F. ADJOURNMENT

The meeting was adjourned at 4:48 p.m.

Respectfully Submitted by,

CAROLYN TAKAYAMA-CORDEN
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

Present

Lawrence Carnicelli
Stephen Castro
Kahu Alalani Hill
Larry Hudson, Vice-Chair (Excused at 4:08 p.m.)
P Denise La Costa
Kellie Pali
Keaka Robinson, Chair
Christian Tackett (Excused at 2:48 p.m.)

Excused

Tina Gomes

Others

Michele McLean, Director, Department of Planning (1:33 p.m. – 4:48 p.m.)
Joe Alueta, Deputy Director, Department of Planning (9:00 a.m. – 12:23 p.m.)
David Galazin, Deputy Corporation Counsel, Department of the Corporation Counsel
Rowena Dagdag-Andaya, Deputy Director, Department of Public Works