

**LANA'I PLANNING COMMISSION  
SUMMARY MINUTES  
MARCH 20, 2019**

**([HYPERLINK TO AUDIO RECORDING OF THE MEETING](#))**

**A. CALL TO ORDER**

The regular meeting of the Lanai Planning Commission (Commission) was called to order by Ms. Caron Green, Chair, at approximately 5:00 p.m., Wednesday, March 20, 2019, in the Lanai Senior Center, Lanai City, Hawaii.

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

- 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 unless new or additional information will be offered.**

*(Item B begins at 00:00:15 of the Audio Recording)*

**Members of the public provided public testimony at the beginning of the meeting.**

**[HYPERLINK TO WRITTEN TESTIMONIES SUBMITTED FOR HALE O LANAI STRH AND ADVENTURE CENTER](#)**

**C. PUBLIC HEARING (Action to be taken after public hearing.)**

**1. SHORT-TERM RENTAL HOME PERMIT**

**JAMES and RANDOLPH COON requesting a Short-Term Rental Home Permit in order to operate Hale O Lanai, a three-bedroom short-term rental located in the R-1 Residential District at 436 Gay Street, TMK: (2) 4-9-007:039, Lanai City, Island of Lanai. (STLA T2018/0005) (J. Burkett)**

**[REPORT](#)      [RECOMMENDATION](#)**

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

*(Item C.1. begins at 00:24:07 of the Audio Recording)*

*(Public Testimony for Item C.1. begins at 00:40:35 of the Audio Recording)*

*(Motion was made at 00:55:51 of the Audio Recording)*

*(Vote was taken at 00:57:50 of the Audio Recording)*

**It was moved by Mr. Gerald Rabaino, seconded by Ms. Shirley Samonte, then unanimously**

**VOTED: To accept the County's recommendation to approve the short-term rental home permit with the two additional conditions as discussed.**

*(Assenting: R. Catiel, S. Menze, S. Preza, G. Rabaino, S. Samonte, C. Trevino)  
(Excused: J. Delacruz, M. Martin)*

*(The Lanai Planning Commission meeting recessed at 6:00 p.m. and reconvened at 6:07 p.m.)*

#### **D. UNFINISHED BUSINESS**

- 1. LANAI RESORTS, LLC, doing business as PŪLAMA LĀNA'I requesting a Project District Phase 2 Development Approval and County Special Use Permit for construction and operation of an Adventure Center including zip line facilities, recreational climbing courses, and a welcome center, at the former Experience at Koele Golf Course located on a portion (approximately 30 acres) of the 325.2-acre parcel of land identified by Tax Map Key (2) 4-9-018:003 (POR.), Koele, Lāna'i, Hawai'i (PH2 2018/0001) (CUP 2018/0001) (A. Cua for K. Wollenhaupt) (Public hearing was conducted at the November 28, 2018 meeting and Commission action was deferred.)**

#### **MEMORANDUM**

**The Commission may take action on this item.**

*(Item D.1. begins at 00:59:10 of the Audio Recording)*

*(Public Testimony for Item D.1. begins at 01:39:08 of the Audio Recording)*

*(Motion was made at 03:45:25 of the Audio Recording)*

*(Vote was taken at 03:46:00 of the Audio Recording)*

**It was moved by Ms. Caron Green, seconded by Mr. Gerald Rabaino, then unanimously**

**VOTED: To amend Condition #1 to read that "the Planning Director shall forward the time extension request to the Planning Commission**

**for review and approval, and shall require a public hearing on the time extension by the Planning Commission.”**

*(Assenting: R. Catiel, G. Green, S. Menze, G. Rabaino, S. Samonte, C. Trevino)*  
*(Excused: J. Delacruz, M. Martin)*

*(Motion was made at 03:46:53 of the Audio Recording)*

*(Vote was taken at 03:47:13 of the Audio Recording)*

**It was moved by Ms. Caron Green, seconded by Mr. Gerald Rabaino, then unanimously**

**VOTED: To add Condition #12 that unrestricted access shall be provided to the Koloiki Ridge and Kaiholena Trail from the welcome center to the original trail heads.**

*(Assenting: R. Catiel, C. Green, S. Menze, G. Rabaino, S. Samonte, C. Trevino)*  
*(Excused: J. Delacruz, M. Martin)*

*(Motion was made at 03:53:30 of the Audio Recording)*

*(Vote was taken at 03:54:52 of the Audio Recording)*

**It was moved by Mr. Gerald Rabaino, seconded by Ms. Chelsea Trevino, then**

**VOTED: To accept the Planning Department’s report and recommendations with all recommended conditions including the amendment to Condition #1 as discussed, and the addition of Condition #12 as discussed.**

*(Assenting: R. Catiel, S. Menze, G. Rabaino, S. Samonte, C. Trevino)*  
*(Excused: J. Delacruz, M. Martin)*

**Pursuant to Rule 12-401-16(a)(4), following the close of the hearing and meeting, Commissioner Caron Green informed staff that the Chair had not asked for the “no” votes on the motion to approve, and Commissioner Green requested that the record reflect that she would have voted in the negative.**

- 2. 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. (A. Cua for M. McLean) (Public hearing was conducted at the December 12, 2018 meeting and Commission action was deferred.) [MEMORANDUM](#)**

**The Commission may take action on this item.**

*(Item D.2. begins at 03:56:00 of the Audio Recording)*

*(Public Testimony for Item D.2. begins at 03:57:52 of the Audio Recording)*

**After accepting public testimony for agenda Item D.2., the Commission, without objections, deferred and will continue further discussion on the item at another meeting.**

**E. DIRECTOR'S REPORT**

1. [Open Lanai Applications Report](#) as distributed by the Planning Department with the March 20, 2019 agenda.
2. **Agenda Items for the April 17, 2019 meeting**

**F. NEXT REGULAR MEETING DATE: April 17, 2019**

**G. ADJOURNMENT**

There being no further discussion brought forward to the Commission, the meeting was adjourned at 9:16 p.m.

Respectfully submitted by,

LEILANI A. RAMORAN-QUEMADO  
Secretary to Boards and Commissions II

**RECORD OF ATTENDANCE**

**PRESENT:**

Roxanne Catiel  
Caron Green, Chair  
Sherry Menze  
Shelly Preza, Vice-Chair  
Gerald Rabaino  
Shirley Samonte  
Chelsea Trevino

**EXCUSED:**

John Delacruz  
Mililani Martin

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**OTHERS:**

Ann Cua, Planning Supervisor, Current Planning Division  
Jared Burkett, Staff Planner  
Richelle Thomson, Deputy Corporation Counsel