

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

AGENDA
(HYPERLINKS TO MEETING MATERIALS ADDED)

DATE: APRIL 9, 2019
TIME: 9:00 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Larry Hudson (Acting Chairperson), Lawrence Carnicelli, Stephen Castro, Tina Gomes, Kahu Alalani Hill, P. Denise La Costa, Kellie Pali, Keaka Robinson, Christian Tackett

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

- A. CALL TO ORDER
- B. ELECTION OF OFFICERS FOR THE 2018-2019 BOARD YEAR – Chair and Vice-Chair
- C. PUBLIC HEARING
 - 1. LAHAINA CANNERY RETAIL OWNER L.P. requesting a Special Management Area Use Permit for the proposed Lahaina Cannery Expansion Phase 2 to include the addition of a fuel station, an 800 sq. ft. convenience store, parking, landscaping and related improvements on approximately 16 acres located at 1221 Honoapiilani Highway, Lahaina, Maui, Hawaii, TMK (2) 4-5-011:004 (SM1 2018/0007) (P. Fasi) ([Report](#))
 - 2. MR. ALLEN T. YAP for PAYNELLA HAWAII LLC requesting a Special Management Area Use Permit for the proposed eighty-six (86) lot single-family subdivision with an approximately three (3)-acre park, seven (7)-acre drainage retention area, and all associated improvements including landscaping, roadways, sidewalks and utilities, located at Welakahao Road, Kihei, Maui, Hawaii, TMK: (2) 3-9-002:014, 116, 150 & 151 (SM1 2018/0009) (C. Thackerson) ([Report](#))
 - a. NA KAHAWAI O KULA KAI, represented by its President VERNON KANANI O LA`IE KALANIKAU, submitting a [Petition to Intervene](#) dated March 25, 2019 on the above mentioned application from ALLAN T. YAP for PAYNELLA HAWAII LLC.
 - 1) Action of the Petition to Intervene
 - 2) If the Commission acts to grant the Petition to Intervene, then the Commission may select a Hearing Body/Hearings Officer.
 - b. If the Commission denies the Petition to Intervene, then they may take action on the application request.

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 SECTION 92-5(a)(4), HAWAII REVISED STATUTES.

D. COMMUNICATIONS

1. MUNEKIYO HIRAGA on behalf of MONTAGE INTERNATIONAL requesting Step I Planned Development Approval for the transfer of land use area within two parcels for the sales center and model unit and to update representations made in the original Special Management Area Use Permit, Planned Development and Shoreline Setback Variance Approvals for the Kapalua Bay Hotel Planned Development Area, located in Kapalua, Maui, Hawaii, Maui Tax Map Key Nos. (2) 4-2-004:027 (por.), (2) 4-2-004:028 (por.) (PD1 2018/0002) (SM1 2005/0001) (PD1 2005/0003) (PD2 2005/0003) and (SSV 2005/0002) (T. Furukawa) ([Report](#))

The Commission make take action on this request.

2. [Findings of Fact, Conclusions of Law, and Order Granting Appellant Seashore Properties, LLC's Appeal, Filed October 24, 2018](#) from the Circuit Court of the Second Circuit, State of Hawaii, ordering the approval of a County Special Use Permit application from SEASHORE PROPERTIES, LLC for the proposed nine (9) room transient vacation rental on the property referenced as the Paia Inn located at 93 Hana Highway, TMK: (2) 2-6-002: 027, Paia, Island of Maui. (CUP 2015/0006) (CTB 2015/0009) (SMX 2015/0522) ([Exhibit "A" to Hearing Officer McConnell's Report](#)) ([Maui County Planning Department's Report dated December 13, 2016](#)) ([Exhibits to Maui County Planning Department's Report](#))

The Circuit Court of the Second Circuit, State of Hawaii, heard the subject appeal on March 15, 2019 and ordered the matter remanded to the Commission with instruction to approve the subject application and issue the permit subject to the terms and conditions recommended in Exhibit "A" to Hearing Officer E. John McConnell's report that was presented to the Commission on September 25, 2018.

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 SECTION 92-5(a)(4), HAWAII REVISED STATUTES.

The Commission shall approve the application subject to the conditions.

E. DIRECTOR'S REPORT

1. MICHELE MCLEAN, AICP Planning Director, transmitting the following application to the Maui Planning Commission pursuant to the provisions of the Maui Planning Commission's Special management Area Rules that the following permit transfer has occurred by approval letter dated March 18, 2019.

Ms. Carol K. Reimann, Vice President on behalf of Wailea MF-7 LLC requesting a transfer of ownership of the Special Management Area (SMA) Use Permit, Planned Development Steps I, II and III for the Wailea MF-7 LLC, located at Kai Malu Drive, Wailea, Island of Maui, Hawaii; TMK: (2) 2-1-008:116 (SM1 2006/0038, PD1 2006/0004, PD2 2006/0004, PD3 2007/0004) (P. Fasi) ([Letter](#))

This is for notification purposes.

2. SMA Minor Permit Report

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

3. SMA Exemptions Report

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

4. Discussion of Future Maui Planning Commission Agendas

a. April 23, 2019 agenda items

F. NEXT REGULAR MEETING DATE: APRIL 23, 2019

G. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

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 SECTION 92-5(a)(4), HAWAII REVISED STATUTES.

UNLESS OTHERWISE SPECIFIED BY PLANNING COMMISSION RULE, ANY PETITION TO INTERVENE AS A FORMAL PARTY IN A PROCEEDING 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 of 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 April 9, 2019 was on March 25, 2019.

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. PLEASE NOTE THAT ANYONE WISHING TO PROVIDE ORAL TESTIMONY PERTAINING TO AN AGENDA ITEM THAT IS A "CONTESTED CASE" PURSUANT TO CHAPTER 91, HAWAII REVISED STATUTES, MAY BE ASKED TO TESTIFY UNDER OATH OR AFFIRMATION, AND MAY BE SUBJECT TO LIMITED CROSS-EXAMINATION IN ACCORDANCE WITH SECTION 91-10(3), HAWAII REVISED STATUTES.

WRITTEN TESTIMONY, WHETHER SENT VIA FAX, EMAIL, OR USPS MAIL SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 5:00 P.M. 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.

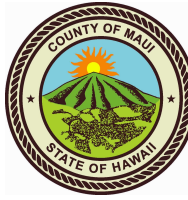
DOCUMENTS RELATING TO THIS MEETING MAY BE FOUND ON THE COUNTY OF MAUI OFFICIAL WEBSITE AT www.mauicounty.gov, UNDER BOARDS AND COMMISSIONS, MAUI PLANNING COMMISSION.

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.

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

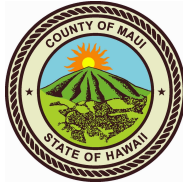
PD-Approved SMA Minor Projects for Maui

03/27/2019

Permit Completion Date: 03/13/2019 - 03/27/2019

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20170030	PARADISE RIDGE	PARADISE RIDGE	TEMPORARY CONSTRUCTION RAMP\KIHEI	MICHAEL SALISBURY		03/20/2019	A W/COND-APPROVED WITH CONDITIONS	2390041320000
SM2 - 20190022	300 HOOLAWA RESIDENC	300 HOOLAWA ROAD RESIDENCE	FARM DWELLING ADD/ALTERATIONS (ATF)	ELIZABETH LISA STARR		03/18/2019	A W/COND-APPROVED WITH CONDITIONS	2290050170000
SM2 - 20190023	GUTHRIE RESIDENCE	GUTHRIE, Gregory & Lisa	NEW RESIDENCE/OHANA/POOL/SPA - / KIHEI	GREGORY & LISA GUTHRIE	CALLENTINE	03/15/2019	A W/COND-APPROVED WITH CONDITIONS	2390060040000
SM2 - 20190025	PRINCE KUHIO	PRINCE KUHIO CELEBRATION	PRINCE KUHIO CELEBRATION	COUNCIL OF NATIVE HAWAIIAN ADVANCEMENT	FORSYTHE	03/18/2019	A W/COND-APPROVED WITH CONDITIONS	2460010090000
SM2 - 20190026	PRINCE KUHIO	PRINCE KUHIO CELEBRATION	PRINCE KUHIO CELEBRATION	COUNCIL OF NATIVE HAWAIIAN ADVANCEMENT	FORSYTHE	03/18/2019	A W/COND-APPROVED WITH CONDITIONS	2460010090000
SM2 - 20190027	WAILEA POINT	WAILEA POINT UNIT 1403 RENOVATIONS	RENOVATIONS\KIHEI	ROBERT ELSEN	LAU-HEE	03/21/2019	A W/COND-APPROVED WITH CONDITIONS	2210230050061 2210230050062
SM2 - 20190030	SACRED HEARTS BAZAAR	SACRED HEARTS SCHOOL ANNUAL BAZAAR/MARIA LANAKILA CHURCH	SHS BAZAAR/ LAHAINA	ROMAN CATHOLIC CHURCH	FORSYTHE	03/21/2019	DONE-DONE	2460100010000
SM2 - 20190031	GARY CROCKER	GARY CROCKER CONDO RENO	CONDO RENOVATION\KIHEI	SATISH GHOLKAR	LAU-HEE	03/21/2019	A W/COND-APPROVED WITH CONDITIONS	2210070950007

Grand Total : 8



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

PD-Approved SMA Exempt Projects for Maui

03/27/2019

Permit Completion Date: 03/13/2019 - 03/27/2019

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20190056	BOYD/DUNKER PROJECT	ATF DWELLINGS, SEPTIC SYSTEM	LINDA LANGE	CALLENTINE	03/15/2019	A-APPROVED	2280060650000
SM5 - 20190058	DECK REPLACEMENT	SMX/REPLACE DECK/KIHEI	MCGINNIS,KAREN TRUST	FERNANDEZ-R	03/14/2019	A-APPROVED	2390420200000
SM5 - 20190059	PALATINE PROPERTIES	SMX/RENOVATION	MORGAN GERDEL	BURKETT	03/14/2019	A-APPROVED	2210230050033
SM5 - 20190060	ROBERT WAYNE GODDARD	DWELLING REPAIRS/MAINTENANCE/WALL/ETC.	ROBERT WAYNE GODDARD	SEGUNDO	03/15/2019	A-APPROVED	2390060160000
SM5 - 20190061	KAI ANI VILLAGE	KA ANI VILLAGE CONDO/KIHEI	SASSAN YAZDIZADEH		03/19/2019	A-APPROVED	2390021340000
SM5 - 20190062	COSTCO WHOLESALE COR	SMA/NEW AIR CONDENSER/KAHULUI	SHIRLEY CHRISTIANSEN	KELIIKOA	03/22/2019	A-APPROVED	2380790220000
SM5 - 20190063	MEDINA, DAVID & CATH	REMODELING OF RESIDENCE/LAHAINA	KELLY HONOPAUPU	FORSYTHE	03/25/2019	A-APPROVED	2460030110000
SM5 - 20190064	SMALES RESIDENCE	SMX/RELOCATE KITCHEN/WAILEA	JOHN SMALES	KELIIKOA	03/25/2019	A-APPROVED	2210220390000

Grand Total : 8