

**MAUI PLANNING COMMISSION  
SUMMARY MINUTES  
NOVEMBER 12, 2019**

**(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 Lawrence Carnicelli at approximately 9:02 a.m., Tuesday, November 12, 2019, Planning Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui.

**B. PUBLIC HEARINGS**

*(Item B.1 begins at 00:01:24 of the audio recording.)*

1. MICHELE MCLEAN, AICP, Planning Director, transmitting Council Resolution No. 18-195 referring to the Maui Planning Commission a Proposed Bill for Zoning Changes from Open Zone and R-3 Residential District to R-1 Residential District for a 6.943-acre property located off of South Kihei Road at TMK: (2) 3-9-004:141, Kihei, Island of Maui (CIZ 2019/0001) (T. Furukawa)

**Item is rescheduled to the November 26, 2019 meeting.**

**No action will be taken.**

2. MICHAEL and MI RA FINNEGAN requesting a State Land Use Commission Special Permit in order to operate Hale O Ka Pua B&B, a two-bedroom bed and breakfast home in the State Agricultural District, located at 2350 Aina Mahiai Place, TMK: (2) 4-4-020:036, Lahaina, Island of Maui. (SUP2 2019/0008) (J. Burkett)

*(Item B.2 begins at 00:04:31 of the audio recording.)*

*(Motion was made at 00:54:02 of the audio recording.)*

**It was moved by Mr. Freitas, seconded by Ms. La Costa, then unanimously**

*(Vote was taken at 01:01:23 of the audio recording.)*

**VOTED: To Deny the State Land use Commission Special Permit.**

**(Assenting – K. Freitas, P. D. La Costa, D. Thompson, K. Pali,  
C. Tackett, S. Castro)**

**(Excused – K. Robinson, T. Gomes)**

3. TATIANA BOTTON requesting a Short-Term Rental Home (STRH) Permit in order to operate Hale Nalu, a three-bedroom STRH located in the County R-1, Residential Zoning District and State Urban District on approximately 5,022.47 square feet of land located at 33 Nalu Place, TMK: (2) 2-6-002:023, Paia, Island of Maui, (STPH T2016/0005) (R. Quigless)

The matter is being brought before the Maui Planning Commission for review because there are at least two permitted short-term rental home operations located within 500 feet of the subject property.

*(Item B.3 begins at 01:02:05 of the audio recording.)*

*(Motion was made at 01:42:53 of the audio recording.)*

**It was moved by Ms. La Costa, seconded by Mr. Tackett, then unanimously**

*(Vote was taken at 01:45:34 of the audio recording.)*

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

**(Assenting – P. D. La Costa, C. Tackett, K. Freitas, K. Pali, S. Castro)  
(Dissenting – D. Thompson)  
(Excused – K. Robinson, T. Gomes)**

## **C. NEW BUSINESS**

1. R.D. OLSON DEVELOPMENT requesting review and comments on the Draft Environmental Impact Statement (DEIS) in support of the Community Plan Amendment from Light Industrial to Hotel for the proposed Windward Hotel, a 200-room hotel, located on approximately 5.17 acres of land, located in the Maui Business Park II Subdivision at 778 Haleakala Highway, TMK: (2) 3-8-103:014 (portion), 015, 016, 017, 018, Kahului, Island of Maui (EIS 2018/0001) (CPA 2018/0001) (T.Furukawa)

[http://oeqc2.doh.hawaii.gov/EA\\_EIS\\_Library/2019-10-08-MA-DEIS-Windward-Hotel.pdf](http://oeqc2.doh.hawaii.gov/EA_EIS_Library/2019-10-08-MA-DEIS-Windward-Hotel.pdf)

The Maui Planning Commission is the approving agency.

The Applicant has also submitted applications for a Community Plan Amendment, Change of Zoning, and a Special Management Area Use Permit. The public hearing will be scheduled after the Chapter 343 HRS process has been completed.

The Commission may act on the following:

- a. That the Maui Planning Commission is the approving agency of the Final Environmental Impact Statement.
- b. That the Maui Planning Commission provide its comments on the Draft Environmental Impact Statement.

*(Item C.1 begins at 01:46:21 of the audio recording.)*

*(Consensus of the Commission to defer Item C.1.a was made at 03:19:44 of the audio recording.)*

**By consensus of the Commission Item C.1.a was deferred to the November 26, 2019 agenda.**

*(Item C.1.b listing of Commission's comments begins at 03:24:09 of the audio recording.)*

*(Consensus of the Commission to forward comments was made at 03:27:52 of the audio recording.)*

**By consensus of the Commission, to forward the comments as discussed.**

**D. Subcommittee's proposed language regarding submittal of written testimony in the notification letter to people within 500 feet of a proposed project. (Commissioners K. Pali and P. D. La Costa)**

*(Item D begins at 03:28:42 of the audio recording.)*

**E. DIRECTOR'S REPORT**

*(Item E begins at 03:38:01 of the audio recording.)*

1. MICHELE MCLEAN, AICP, Planning Director, notifying the Maui Planning Commission pursuant to Section 12-202-17(e) of the Maui Planning Commission's SMA Rules of her intent to process the following time extension request administratively:
  - a. CHRIS HART & PARTNERS, INC. ON BEHALF OF WAILEA MF-15, LLC requesting a two-year Special Management Area Use Permit time extension to complete construction for the Wailea MF-15 Multi-Family Residential Project at the corner of Wailea Alanui Drive and Kaukahi Street, TMK: (2) 2-1-008:120, Wailea, Island of Maui (SM1 2013/0016)(PD2 2013/0004)(PD3 2018/0002) (T. Furukawa)

The Commission shall acknowledge receipt of the request. The Commission may decide whether to waive its review or review the time extension request at a future meeting

*(Motion was made at 03:42:58 of the audio recording.)*

**It was moved by Ms. Pali, seconded by Mr. Tackett, then unanimously**

*(Vote was taken at 03:43:23 of the audio recording.)*

**VOTED: To Acknowledge Receipt and Waive Its Review of the Time Extension Request.**

**(Assenting – K. Pali, C. Tackett, D. Thompson, K. Freitas, S. Castro,  
P. D. La Costa)  
(Excused – K. Robinson, T. Gomes)**

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. November 26, 2019 agenda items

Ms. McLean went over the items scheduled for the November 26, 2019 meeting.

**F. NEXT REGULAR MEETING DATE: November 26, 2019**

**G. ADJOURNMENT**

The meeting was adjourned at 1:05 p.m.

Respectfully Submitted by,

CAROLYN TAKAYAMA-CORDEN  
Secretary to Boards and Commissions II

**RECORD OF ATTENDANCE**

**Present**

Lawrence Carnicelli, Chair  
Stephen Castro  
Kawika Freitas  
P Denise La Costa  
Kellie Pali  
Christian Tackett, Vice Chair  
Dale Thompson

**Excused**

Keaka Robinson  
Tina Gomes

**Others**

Michele McLean, Director, Department of Planning  
Michael Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel  
Jordan Molina, Deputy Director, Department of Public Works