

**MAUI PLANNING COMMISSION
SUMMARY MINUTES
JULY 27, 2021**

[\(HYPERLINK TO CHAPTER 1 AUDIO RECORDING OF THE MEETING\)](#)

[\(HYPERLINK TO CHAPTER 2 AUDIO RECORDING OF THE MEETING\)](#)

[\(HYPERLINK TO CHAPTER 3 AUDIO RECORDING OF THE MEETING\)](#)

[\(HYPERLINK TO CHAPTER 4 AUDIO RECORDING OF THE MEETING\)](#)

A. CALL TO ORDER

The regular meeting of the Maui Planning Commission was called to order by Chairperson Christian Tackett at approximately 9:00 a.m., Tuesday, July 27, 2021, online via BlueJeans; **Meeting ID: 560 230 963**

B. PUBLIC HEARINGS

1. MR. WREN WESCOATT OF PULEHU SOLAR, LLC, requesting a County Special Use Permit in order to construct and operate the Pulehu Solar Project, a 40 megawatt alternating current utility-scale solar and energy storage facility with ground-mounted photovoltaic arrays, a 160 megawatt hour Battery Energy Storage System (BESS) comprised of 66 containers, a 69 kilovolt switching station, and associated equipment, located in the County Agricultural District on and south of Pulehu Road in Kula, Hawaii, on a 370 acre portion of the 1,087.65 acre Haleakala Ranch parcel, TMK: (2) 2-5-001:003. (CUP 2020/0009) (J. Burkett)

The Maui Planning Commission is reviewing this request because a solar energy facility greater than 15 acres has been proposed.

(Item B.1 begins at approximately 00:03:41 of Chapter 1 of the audio recording.)

(Motion was made at approximately 01:31:51 of Chapter 3 of the audio recording.)

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

(Vote was taken at approximately 01:33:13 of Chapter 3 of the audio recording.)

**VOTED: To Approve County Special Use Permit as Recommended by the Department with the Recommended Conditions.
(Assenting – P D. La Costa, D. Thompson, J. Edlao, K. Freitas,
A. Lindsey, C. Tackett)
(Recused – K. Thayer)
(Excused – K. Pali, M. Hipolito)**

2. MAUI OCEANVIEW LP, requesting Project District Phase II Development approval for Pulelehua, a 900 Unit, mixed-use development consisting of 400 market rate multi-family units, 300 workforce multi-family units, 100 single family lots with the potential for 100 additional ohana units, approximately 70,000 sq. ft. of commercial, retail floor space, a 13-acre school site and a 10-acre community park site, open spaces, and related infrastructure improvements on approximately 310 acres in West Maui Project District 5, located on Akahahele Street and Honoapiilani Highway, Lahaina, Maui, Hawaii, TMK: (2) 4 3-001:082 and 083. (PH2 2020/0003) (A. Cua)

PUBLIC HEARING TO BE RENOTICED TO A FUTURE AGENDA DUE TO A NOTICING ERROR BY APPLICANT

- C. APPEAL OF CLOSURE OF SPECIAL MANAGEMENT AREA (SMA) USE PERMIT** for One Wailea Development, LLC, for the proposed "One Wailea" 21-Lot Subdivision and improvements at Wailea, Island of Maui, Hawaii; TMK: (2) 2-1-008:145 (previously TMK: (2) 2-1-008:115) (SM1 99/0010) (K. Wollenhaupt)

- a) Notice of Appeal by One Wailea Development LLC
- b) Respondent Department of Planning, County of Maui's Response to Appeal
- c) NATHANIEL A. HIGA and KEKOA KEILEY of CHUN KERR LLP, attorneys for proposed intervenor, WAILEA RESORT SF-S PARTNERS LP, submitting a PETITION TO INTERVENE dated July 13, 2021 on the above listed appeal by ONE WAILEA DEVELOPMENT, LLC
 - 1) Action on the Petition to Intervene
 - 2) Selection of a hearings officer to conduct the contested case proceeding

No public testimony will be taken on this matter.

(Item C begins at approximately 00:02:57 of Chapter 4 of the audio recording.)

1) Action on the Petition to Intervene

(Motion was made at approximately 00:15:51 of Chapter 4 of the audio recording.)

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

(Vote was taken at approximately 00:17:00 of Chapter 4 of the audio recording.)

VOTED: To Grant the Petition to Intervene.
(Assenting – P D. La Costa, D. Thompson, J. Edlao, K. Freitas,
K. Thayer, C. Tackett)
(Excused – K. Pali, M. Hipolito, A. Lindsey)

2) Selection of a hearings officer to conduct the appeal

(Motion was made at approximately 00:19:54 of Chapter 4 of the audio recording.)

It was then moved by Ms. La Costa, seconded by Ms. Thayer, then

(Vote was taken at approximately 00:21:08 of Chapter 4 of the audio recording.)

VOTED: To Select Louis Chang as the Hearings Officer to Conduct the Appeal.
(Assenting – P D. La Costa, K. Thayer, J. Edlao, K. Freitas,
D. Thompson, C. Tackett)
(Excused – K. Pali, M. Hipolito, A. Lindsey)

Chairperson Tackett asked that Mr. Higa prepare the order granting the petition for intervention and the appointment of the hearing officer.

D. UNFINISHED BUSINESS

2. MS. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, transmitting Resolution 21-55 referring to the three Planning Commissions a proposed bill to amend Maui County Code Chapter 19.12, Apartment Districts, to establish transient registration numbers. Some minor revisions and updates are also proposed. (J. Takakura) (Deferred from the 7/13/21 meeting)

The entire text of the proposed bill for ordinance is available at <https://www.mauicounty.gov/DocumentCenter/View/126257/Draft-Bill-for-Ordinance-Relating-to-Chapter-1912-Apartment-District-Vacation-Rentals?bidId=>

(Item D.2 begins at approximately 00:23:07 of Chapter 4 of the audio recording.)

(Motion was made at approximately 00:28:55 of Chapter 4 of the audio recording.)

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

(Vote was taken at approximately 00:32:17 of Chapter 4 of the audio recording.)

VOTED: To Recommend Approval of the Revised Bill with the Amendment as Discussed to the County Council.
(Assenting – P D. La Costa, D. Thompson, J. Edlao, K. Freitas,
K. Thayer, C. Tackett)
(Excused – K. Pali, M. Hipolito, A. Lindsey)

E. DIRECTOR'S REPORT

(Item E begins at approximately 00:32:52 of Chapter 4 of the audio recording.)

1. MS. MICHELE MCLEAN, Planning Director, notifying the Maui Planning Commission pursuant to the provisions of the Maui Planning Commission's SMA Rules of the issuance of the following Special Management Area Emergency Permit:
 - a) MR. BRYAN ESMERALDA OF MUNEKIYO HIRAGA, on behalf of KAA NAPALI BEACH VACATION RESORT (AKA KAA NAPALI BEACH CLUB) approval of a Special Management Area (SMA) Emergency Permit for repair of an authorized temporary erosion control structure in a like-for-like manner at the shoreline located at 104 Kaanapali Shores Place, Lahaina, Island of Maui, TMK: (2) 4 4 001:098 (SM3 2020/0014) (SSA 2020/0062) (EAE 2021/0003) (J. Buika)

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

No action was taken by the Commission.

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.

No action was taken on the SMA Minor and SMA Exemption Reports.

4. Discussion of Future Maui Planning Commission Agendas
 - a. August 10, 2021 agenda items

Ms. McLean went over the items scheduled for the August 10, 2021 agenda. It was noted that the County Council created the South Maui and Paia-Haiku Advisory Committees and that the matter would be placed as an item under the Director's Report on a future meeting for discussion.

F. NEXT REGULAR MEETING DATE: August 10, 2021

G. ADJOURNMENT

The meeting was adjourned at approximately 1:40 p.m.

Respectfully Submitted by,

CAROLYN TAKAYAMA-CORDEN
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

Present

Jerry Edlao
Kawika Freitas
Ashley Lindsey (excused @ 12:44 p.m.)
P Denise La Costa, Vice-Chair
Christian Tackett, Chair
Kim Thayer
Dale Thompson

Excused

Mel Hipolito, Jr.
Kellie Pali

Others

Michele McLean, Director, Department of Planning
Mimi Desjardins, Deputy Corporation Counsel, Department of the Corporation Counsel
Jordan Molina, Deputy Director, Department of Public Works