

MAUI PLANNING COMMISSION

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

AGENDA

(HYPERLINKS TO MEETING MATERIALS ADDED)

DATE: AUGUST 9, 2022

TIME: 9:00 A.M.

REMOTE MEETING LOCATION: Interactive conference technology via BlueJeans
Videoconferencing: **Meeting ID: 566 798 312**

PHYSICAL LOCATION: Members of the public may observe the remote meeting or testify in-person using audio/visual technology at the Planning Department Conference Room, Kalana Pakui Building 250 South High Street, Wailuku, Maui, Hawaii 96793. Note: The Commission Members may not be physically present at this location.

Members: P Denise La Costa (Chairperson), Kellie Pali (Vice-Chairperson), Kawika Freitas, Dale Thompson, Mel Hipolito, Jr., Ashley Lindsey, Kim Thayer

A. CALL TO ORDER AND ROLL CALL

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

To watch the meeting or provide video testimony: Click on or use meeting link: <https://maui.bluejeans.com/566798312>

To listen to the meeting or provide oral testimony via phone, dial 1-888-748-9073 (toll free) or 1-408-915-6290 or 1-408-740-7256 and enter **Meeting ID: 566 798 312**

Testifiers via video are asked to sign-up using the Chat function providing their names and the item they wish to testify on. Testifiers via phone will be called by the Chair after in-person and video testimony is finished.

Testifiers will be called by the Chair to offer their testimony, those participating by phone or video are asked to **mute** their audio and video when they are not testifying.

To provide written testimony: Email testimony to planning@mauicounty.gov or submit written testimony by mail to the Maui Planning Commission c/o Department of Planning, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Hawaii, 96793. While the Commission requests that written testimony be submitted by noon, one business day before the meeting to ensure distribution to the Commission, testimony submitted after such date and time will still be accepted by the Commission.

Commissioners **shall not** be contacted by the Chat function; the Chat function shall not be used to provide testimony or comments.

B. PUBLIC HEARINGS

1. MR. CLAYTON UYEHARA AND MRS. CATHY MEYER-UYEHARA ON BEHALF OF NOVA LUNA, INC. DBA AI PONO HAWAII, LLC, requesting a County Special Use Permit to operate the Ai Pono Residential Treatment Center for eating disorders and co-occurring disorders on approximately 0.514-acres of land in the R-3 Residential District at 476 Lilihua Place in Wailuku, Island of Maui at TMK: (2) 3-4-029:022. (CUP 2020/0001) (T. Furukawa) ([Report](#)) ([Application](#)) ([Documents Received After Posting](#))

2. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, transmitting Resolution No. 22-70, CD1, FD1, referring to the Maui Planning Commission a proposed bill to amend chapters 19.11, 19.12, 19.14, 19.15, 19.18, 19.20, 19.22, 19.32 and 19.52, Maui County Code to: (1) cap the number of transient accommodation units to the existing levels for properties in the Apartment and Hotel Districts; (2) remove transient accommodations as a permitted use in the SBR Service Business Residential, B-CT Country Town Business, B-3 Central Business, B-R Resort Commercial, Planned Development, and Lahaina Historic Districts; and (3) prohibit transient accommodations of more than 20 bedrooms in the B-2 Community Business District; The bill also proposes to amend Chapter 19.36B to prohibit temporary parking of camper vans and recreational vehicles used for transient accommodations unless authorized by zoning and permit, and to amend Chapter 19.32 to limit time share plans to Hotel and B-2 Districts only. (J. Takakura) ([Report](#)) ([Documents Received After Posting](#))

The entire text of the proposed bills for ordinance is available at <https://www.mauicounty.gov/DocumentCenter/View/133475/Resolution-22-70-DD1-FD1-relating-to-Transient-Accommodation-Caps>

C. ADOPTION OF ORDER GRANTING PETITION TO INTERVENE AND APPOINTING A MEDIATOR

Adoption of Order Granting Proposed Intervenors PROTECT AND PRESERVE KAHOMA AHUPUA'A ASSOCIATION, an unincorporated association, MICHELE LINCOLN, MARK ALLEN, LINDA ALLEN, and CONSTANCE B. SUTHERLAND's Petition to Intervene and Appointing a Mediator in the Matter of STANFORD CARR DEVELOPMENT, LLC on behalf of HARRY and JEANETTE WEINBERG FOUNDATION, INC. requesting a Special Management Area Use Permit for the Development of the proposed Kahoma Village Project 201-H Project and related improvement located on approximately 21.4 acres on the northeast corner of Front Street and Kenui Street at TMK: 2-4-5-008: 001, Lahaina, Island of Maui (SM1 2012/0007). (K. Wollenhaupt) ([SM1 Application](#)) ([Petition to Intervene](#)) ([Supreme Court Opinion](#)) ([Documents Received After Posting](#))

The Commission's anticipated action would be to grant the Petition to Intervene and to appoint a mediator.

D. DIRECTOR'S REPORT

1. Designation of the South Maui Advisory Committee to conduct the public hearing and provide a recommendation on the following application:

MS. SANDRA DUVAUCHELLE AND MR. HOWIE KIHUNE, JR., on behalf of Kilohana RE LLC, are requesting Special Management Area Use Permit for the Kilohana Makai project, a 31-lot workforce housing subdivision, consisting of 28 single-family dwellings with living space ranging from 1,456 to 2,095 square feet, and related improvements. The project will be located at the corner of South Kihei Road and Ala Koa Street in Kihei, Maui, Hawaii at TMK: (2) 3-9-004:141 (SM1 2021/0003) (T. Furukawa). ([Information](#))

The Commission may take action to designate that the South Maui Advisory Committee conduct the public hearing and provide a recommendation on the subject application request or take other action.

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. August 23, 2022 agenda items

E. NEXT REGULAR MEETING DATE: AUGUST 23, 2022

F. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

INTERRUPTION IN VIDEO/AUDIO: If the connection between any testifier and the video conference is lost, the meeting will continue. A meeting held by interactive conference technology shall be automatically recessed for up to 30 minutes to restore communication when audiovisual communication cannot be maintained with Commission members participating in the meeting or with the public location identified above. If connection cannot be restored within 30 minutes, the meeting is automatically terminated.

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 Sec. 92-5(a)(4), Hawaii Revised Statutes.

Documents relating to this meeting may be found by clicking on the links provided on this Agenda, on the County of Maui official website at <https://www.mauicounty.gov>, under Boards and Commissions, Maui Planning Commission, and are on file with the Department of Planning.

The address of the Commission to provide written testimony is c/o Department of Planning, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Maui, Hawaii 96793, phone number is 808-270-7735, and email is planning@mauicounty.gov.

Written testimony, whether sent via fax, email or USPS mail should be received by the Department of Planning by noon, one business day before the meeting to ensure distribution to the board. Fifteen (15) copies of written testimony is needed if testimony is presented immediately prior to or at the meeting.

The links for documents received after posting will be updated periodically when testimony or documents is received, up to 12:00 p.m. on business day prior to the meeting.

Petitions to Intervene: 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.) Filing of all documents to the Commission is c/o the Department of Planning, 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 August 9, 2022 was on July 26, 2022.

Oral testimony will be received on any agenda item subject to the provisions of Chapter 92, Hawaii Revised Statutes, 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 oral 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, will 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

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.

SPECIAL ASSISTANCE: If you require an auxiliary aid or service or accommodation due to a disability, please contact the commission staff no later than three business days prior to the scheduled meeting date at (808) 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1-800-272-0125 (Lanai)

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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 Projects for Maui

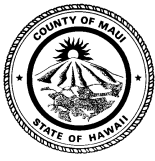
07/27/2022

Permit Completion Date: 07/13/2022 - 07/27/2022

CP Special Management Area Minor Permit - Maui

Plan #	Project Name	Short Project Description	Applicant Name	Planner	Completed Date	Plan Status	TMK(s)
SM22022-00032	Moon Festival	Demonstrations, live music, keiki crafts, Chinese lanterns outside on lawn. No ground altering activity.	Lahaina Restoration Foundation	Aliki Biniaris	07/14/2022	Completed	2450010450000-47797
SM22022-00034	Holiday Lighting Lahaina Banyan Tree	Annual temporary event Dec. 1, 2022 – Jan. 2, 2023. Set up Nov. 30 - Dec. 2, 2022, and breakdown Jan. 3 – Jan. 5, 2023	Lahaina Restoration Foundation	Aliki Biniaris	07/25/2022	Completed	2460010090000-49452
SM22022-00024	ADP President's Club Final Night Events	Event	JOY HIRATA	Collette Cardoza	07/26/2022	Completed	2440080090000-46922

Grand Total: 3



COUNTY OF MAUI
Kalana O Maui Building
200 South High Street
Wailuku, HI 96793-2155

PD - Approved Projects for Maui

07/27/2022

Permit Completion Date: 07/13/2022 - 07/27/2022

ZAED Special Management Area Exemption

Plan #	Project Name	Short Project Description	Applicant Name	Planner	Completed Date	Plan Status	TMK(s)
SM52022-000041	Manoli's Pizza Company Alteration	The project involves various interior alterations to the kitchen of the existing Manoli's Pizza Company restaurant in Wailea. The kitchen will be slightly	JOEL CORPUZ	Danny A. Dias	07/13/2022	Approved	2210081180001-90550
SM52022-000042	Meek Swimming Pool	The project involves the construction of a new swimming pool on a property with an existing single-family dwelling in Kihei. The pool will be	DAVID SELLERS	Danny A. Dias	07/13/2022	Approved	2390130400000-35294
SM52022-000043	Fa'aumu Driveway Replacement	The project involves the removal and replacement of an existing concrete driveway on property with a single-family dwelling in Kihei.	MICHELLE COCKETT	Danny A. Dias	07/13/2022	Approved	2390320740000-37685
SM52022-000044	Redstone Main Farm Dwelling	The project involves the construction of a main farm dwelling on a 5.12 acre ag property in Huelo. The property currently has a 2nd farm dwelling.	KENNETH REDSTONE	Danny A. Dias	07/13/2022	Approved	2290030280000-16436
SM52022-000052	Mercedes Benz of Maui Roof Replacement	The project involves the removal and replacement of the existing metal roof at the Mercedes Benz of Maui car dealership in Kahului.	John Morgan Gerdel	Danny A. Dias	07/21/2022	Approved	2370110030000-23722

Grand Total: 5