

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

AGENDA

DATE: JANUARY 11, 2005 (Tuesday)  
TIME: 9:00 A .M.  
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Randy Piltz (Chair), Susan Moikeha (Vice-Chair), Bernice Lu, Suzanne Freitas, Patricia Eason, Johanna Amorin, Diane Shepherd, Nick Casumpang Jr., William Iaconetti

Public testimony will be taken at the start of the meeting on any agenda item in order to accommodate those individuals who cannot be present at the meeting when the agenda item(s) is (are) considered by the Maui Planning Commission. Public testimony will also be taken when the agenda item is taken up by the Maui Planning Commission. Maximum time limits on individual testimony may be established by the Planning Commission. A person testifying at the beginning of the meeting will not be allowed to testify again when the agenda item comes up before the Commission, unless new or additional information will be offered.

A. CALL TO ORDER

B. PUBLIC HEARINGS (Action to be taken after each public hearing item.)

1. MR. MICHAEL W. FOLEY, Planning Director, requesting a change in zoning for the Maui Memorial Hospital site from R-3 Residential District to P-1 Public/Quasi-Public District at 221 Mahalani Street, TMK: 3-8-046: 013, 029 and 036, Wailuku, Island of Maui. (CIZ 2004/0021) (C. Suyama)

- a. Public Hearing
- b. Action

2. MR. ROY KATSUDA, of HALE MAHAOLU requesting a Special Management Area Use Permit for the Hale Mahaolu Ehiku Elderly Housing Project to include 112 one-bedroom housing units, a three-bedroom manager's unit, a Senior Center/ Community Building, an Adult Day Care Center, an Adult Residential Care Home, and related improvements at Welakahao Road - Piilani Highway, TMK: 2-2-002: 073, Kihei, Island of Maui. (SM1 2004/0013) (J. Alueta)

- a. Public Hearing
- b. Action

3. MR. MICHAEL W. FOLEY, Planning Director, transmitting Resolution No. 04-62 containing the following bills for the Maui Preparatory Academy project: (C. Suyama)
  - a. A draft bill entitled: "A Bill for an Ordinance to Amend the West Maui Community Plan from Agricultural to Public/Quasi-Public for the proposed Maui Preparatory Academy for property situated at TMK: 4-3-001: 001 (portion ), Napili, Island of Maui. (CPA 20040005)
  - b. A draft bill entitled: "A Bill for an Ordinance to Amend the State Land Use District Classification from Agricultural to Urban for the proposed Maui Preparatory Academy for property situated at TMK: 4-3-001: portion of 001, Napili, Island of Maui. (DBA 20040007)
  - c. A draft bill entitled: "A Bill for an Ordinance to Change the Zoning from Agricultural District to P-1 Public Quasi-Public District for the proposed Maui Preparatory Academy for property situated at TMK: 4-3-001:portion of 001, Napili, Island of Maui. (CIZ 20040012)
- a. Public Hearing
- b. Action
4. POPKIN WEINSTEIN I LLC requesting a Special Management Area Use Permit for the proposed "Papali" (formerly Wailea Villas) 25-unit single family development and related improvements west of Wailea Alanui Drive at its intersection with Kilohana Drive in Wailea Resort at TMK: 2-1-008: 084, Wailea, Kihei, Island of Maui. (SM1 2004/0026) (A. Cua)
  - a. Public Hearing
  - b. Action
5. A & B PROPERTIES requesting a Special Management Area Use Permit for the construction of new and used Pflueger Acura automobile dealership facilities at the Triangle Square Phase 2 Subdivision on Kele Street at 404 and 410 Kele Street, TMK: 3-8-079: 003 and 010, Kahului, Island of Maui. (SM1 2003/0028) (T. Abbott)
  - a. Public Hearing
  - b. Action

6. MR. DON NELSON requesting a Conditional Permit in order to operate wedding services and group functions in the A-2 Apartment District at 210 and 220 Hauoli Street, TMK: 3-8-014: 009 and 008 (por.), Maalaea, Island of Maui. (CP 2003/0002) (S. Bosco)
  - a. Public Hearing
  - b. Action

C. NEW BUSINESS

1. MS. GRACE CONDOS, Managing Member of 120 HANNA HIGHWAY LLC requesting comments on the Draft Assessment prepared in support of the Community Plan Environmental Amendment for the Paia Town Center project from Single Family Residential to Business/Commercial at 120 and 142 Hana Highway and 20 and 24 Luna Place, TMK: 2-6-005: 004, 109, 025, and 033, Paia, Island of Maui. (EA 2004/0004) (CPA 2004/0004)(CIZ 2004/0010) (SM1 2004/0006) (CTB 2004/0010)(K. Caigoy) (C. Suyama) (The draft EA was distributed at the December 14, 2004 Maui Planning Commission meeting. Commissioners: Please bring the document with you.)

The Paia Town Center project consists of the construction of two commercial buildings and related improvements and the consolidation and resubdivision of the project area from four (4) lots to three (3) lots at 120 and 124 Hana Highway and 20 and 24 Luna Place, Paia, Island of Maui.

The EA trigger is the Community Plan Amendment.

The applicant also submitted applications for a change in zoning and a Special Management Area Use Permit.

The public hearing on the Community Plan Amendment, Change in Zoning, and the Special Management Area Use Permit requests will be at a later date after the Environmental Assessment process has been completed.

D. COMMUNICATIONS

1. POPKIN WEINSTEIN I LLC requesting a Planned Development Step 2 Approval for the proposed "Papali" (formerly Wailea Villas) 25-unit single family development and related improvements west of Wailea Alanui Drive at its intersection with Kilohana Drive in Wailea Resort at TMK: 2-1-008: 084, Wailea, Kihei, Island of Maui. (PD2 2004/0008) (A. Cua)

2. KAI MALU WAILEA, LLC requesting a Planned Development Step 3 Approval in order to develop the Kai Malu at Wailea Residential Project, a 153-unit residential development configured in 76 duplex buildings with a manager's unit, recreation center, and related improvements on 25.16 acres south of Okolani Drive and Kapili Street at TMK: 2-1-008: 116, 117, 134, and 133 (por.), Wailea, Kihei, Island of Maui. (PD3 2004/0003) (A. Cua) The Step 2 Planned Development and SMA Permit approvals were made at the November 9, 2004 meeting.
3. MR. ALLYN DEAN for THE FISH AND GAME BREWING COMPANY & ROTISSERIE requesting amendments to the Special Accessory Use Permit to allow the kegging and selling of kegged beer at 4405 Honoapiillani Highway, Suite 217, TMK: 4-3-005: 034, Lahaina, Island of Maui. (ACC 990001) (S. Bosco)

E. UNFINISHED BUSINESS

1. MR. WILLIAM F. CROCKETT of CROCKETT & NAKAMURA. attorney for MAUI VACATION CLUB INTERNATIONAL submitting Applicant Motion for Determination that the Kaanapali Alii Friends of the Environment is not an Intervenor in the contested case hearing on the following application: ( J. Alueta) (deferred from the November 23, 2004 meeting. At least five affirmative votes were not received to take an action on the request at the December 14, 2004 meeting.)

MR. STEVE BUSCH, Regional Vice-President in charge of Construction & Development of MARRIOTT VACATION CLUB INTERNATIONAL requesting a Special Management Area Use Permit for the Maui Vacation Club Sequel Project in order to construct two guestroom buildings (146 units with 292 keys), parking facilities, and pool amenities at Maui Marriott Vacation Club, TMK: 4-4-013: 001, Kaanapali, Island of Maui. (SM1 2002/0026)

- a. Applicant's Motion dated November 9, 2004 (distributed with November 23, 2004 agenda)
- b. Intervenor's Memo in Opposition dated November 17, 2004 (distributed at the November 23, 2004 meeting)
- c. Intervenor's Further Memo in Opposition dated December 1, 2004 (distributed with the December 14, 2004 agenda)

- F. MINUTES OF THE OCTOBER 12, 2004, NOVEMBER 17, 2004 and NOVEMBER 23, 2004 MEETINGS
- G. DIRECTOR'S REPORT
1. December 16, 2004 letter from John S. Rapacz, attorney for Hale O Kaula Church regarding Condition 1 of the Hale O Kaula Church Special Use Permit
    - a. December 21, 2004 reply letter from the Department of the Corporation Counsel
  2. Scheduling of the workshop on the Focus Maui Nui Survey Results led by the Maui Economic Development Board (MEDB)
  3. Conduct of persons testifying before the Maui Planning Commission (requested by Maui Planning Commission)
  4. EIS Status Report
  5. SMA Minor Permit Report
  6. SMA Exemptions Report
- H. NEXT REGULAR MEETING DATE: January 25, 2005 (Oral argument and decision making on the reopened Doug White Appeal
- I. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

ANY PETITION TO INTERVENE AS A FORMAL PARTY IN THE PROCEEDINGS 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 ten days or less excludes weekends and State recognized holidays.) THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE MAUI PLANNING COMMISSION RULES OF PRACTICE AND PROCEDURE. WRITTEN TESTIMONY SHOULD BE RECEIVED AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING TO INSURE DISTRIBUTION TO THE BOARD. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

DOCUMENTS ARE ON FILE WITH THE PLANNING DEPARTMENT.

THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE MAUI PLANNING DEPARTMENT AT 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1- 800-272-

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0125 (Lanai) OR NOTIFY THE MAUI PLANNING DEPARTMENT IN WRITING AT 250 S HIGH STREET, WAILUKU, MAUI, HAWAII 96793 OR FAX NUMBER 270-7634; AT LEAST TWO (2) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.  
ANY FAXES SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 5:00 P.M. ON THE SECOND WORKING DAY BEFORE THE MEETING TO INSURE THAT IT IS CIRCULATED TO THE BOARD.

\*An Executive Session may be called in order for the Commission to consult with their attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities.

**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.** (S:\all\carolyn\011105.age)