

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

AGENDA

DATE: NOVEMBER 25, 2003 (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: Star Medeiros (Chair), Randy Piltz (Vice-Chair), Bernice Lu, Susan Moikeha, Suzanne Freitas, Patricia Eason, Grelyn Rosario, Johanna Amorin, Diane Shepherd.

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. WARNER LUSARDI requesting a Special Management Area Use Permit and a Shoreline Setback Variance for the construction of a new seawall at the Lusardi Residence, a residential property located at 4871 Lower Honoapiilani Road, TMK: 4-3-015: 052, Napili, Lahaina, Island of Maui. (SM1 2003/0011) (SSV 2003/0002) (M. Niles)

- a. Public Hearing
- b. Action

C. CONTINUED PUBLIC HEARING

1. TOBIN and ROXANE HOOD doing business as SEA ESCAPE BOAT RENTAL requesting a Special Management Area Use Permit for the Sea Escape Boat Rental Relocation to the Kihei Business Park consisting of the construction of a 2,270 square foot office, boat rental and storage facility and related improvements at 177 Halekuai Street, TMK: 3-9-051: 037, Kihei, Island of Maui. (SM1 2003/0012)(J. Higa) (continued from October 14, 2003 and November 10, 2003 meetings)
(Commissioners: Please bring your materials with you.)

- a. Public Hearing
- b. Action

D. COMMUNICATIONS

1. TOBIN and ROXANE HOOD dba Sea Escape Boat Rental requesting a determination that pursuant to the provisions of Section 19.18.020.66 of the Maui County Code that the operation of a boat rental and storage facility conforms to the intent of the B-2 Community Business District and is similar in character of rendering sales of commodities or performance of services to the community and is not detrimental to the welfare of the surrounding area. The subject use is located at 177 Halekuai Street, TMK: 3-9-051: 037, Kihei, Island of Maui. (ACC 2003/0003)(J. Higa) (continued from the November 10, 2003 meeting) **(Commissioners: Please bring your materials with you.)**
2. MR. CLYDE MURASHIGE, President of WAILEA RESORT COMPANY, LTD. requesting amendments to the following Special Management Area Use Permits and Step 1 Planned Development Approvals for projects within the Wailea Resort relating to the transfer of these permits for properties situated at TMK: 2-1-008: por. of 042 and 092, Wailea, Island of Maui: (C. Suyama)
 - a. Transfer of Special Management Area Use Permits and Step 1 Planned Development Approvals from WAILEA RESORT COMPANY, LTD. to A&B WAILEA LLC for the following permits:
 - 1) 1.0 MG Brackish Water Tank (90/SM1-0039);
 - 2) Kalai Waa Street Improvements (91 SM1-0041);
 - 3) Wailea Golf Vistas (88 SM1-0017) (88 PD1-0002);
 - 4) Wailea Field Offices, Maintenance Buildings and Overflow Parking Lot (88 SM1-0027) (88 PD1-0004); and
 - b. Transfer of the Special Management Area Use Permit from WAILEA RESORT COMPANY, LTD. to WAILEA GOLF LLC for the Wailea Golf Course Improvements (90 SM1-0003)
3. MR. YUKIHIRO TANAKA on behalf of ELLEAIR HAWAII, INC. requesting an amendment to Condition No. 1 of a Special Management Area Use Permit relating to the initiation of construction for Redevelopment of the Maui Palms Hotel and Renovations for the Maui Beach Hotel on Kaahumanu Avenue, TMK: 3-7-003: 007 and 009, Kahului, Island of Maui. (SM1 2001/0012) (C. Suyama)

4. POHAKULEPO RECYCLING LLC requesting a State Land Use Commission Special Use Permit time extension and a Conditional Permit time extension to continue to operate a base course production facility, concrete recycling, and a green waste composting site on approximately 14.8 acres of land in the State Agricultural District at TMK: 3-6-004: por, of 007, Maalaea, Island of Maui. (SUP 960013) (CP 970002) (J. Alueta)
5. FAIRWAY SHOPS AT KAA NAPALI requesting a determination pursuant to Section 19.22.020.R of the Maui County Code that a health and fitness center (Gold's Gym) conforms to the intent of the B-R Resort Commercial District on 8,648 sq. ft. of floor space at the Fairway Shops at Kaanapali adjacent to Honoapiilani Highway at TMK: 4-4-008: 017, Kaanapali, Island of Maui. (ACC 2003/0003) (J. Alueta)

E. NEW BUSINESS

1. CB MAUI, LLC requesting comments on the Draft Environmental Assessment prepared in Support of the Community Plan Amendment for the Puu Kahana project, a 33-lot residential subdivision and related improvements using mixed-density site plan at Lower Honoapiilani Road, TMK: 4-3-001: 039, Napili, Island of Maui. (EA 20030005) (A. Cua) The EA Trigger is the community plan amendment. **(Members of CB MAUI LLC are involved as applicants in the Puu Noa Subdivision 201-g application which is scheduled at this time to come before the full Council for action on December 9, 2003)**
2. AHEAHE MAKANI, LLC requesting an Environmental Assessment Determination for the Kai Makani project, a 112-unit condominium project and related improvements on approximately 10.442 acres of land and the improvements at Mai Poina Oe Iau Beach Park including the provision of 37 parallel parking stalls along South Kihei Road and associated landscape planting at TMK: 3-9-041: 002, 003, 026, 038, and a portion of 027 and TMK: 3-9-001: 025, Kihei, Island of Maui. The proposal involves the use of County lands. The applicant has also applied for a Special Management Area Use Permit and Planned Development Step 1 Approval and the public hearing on the SMA and Planned Development Step 1 requests will be scheduled for a future date. (EA 20020010) (SM1 20020021) (Final EA document previously circulated to the Planning Commission)(Previously scheduled for the November 10, 2003 meeting) (J. Alueta) **(Commissioners: Please bring your materials with you.)**

Planning Department recommends deferral on this matter until the

December 9, 2003 meeting if the Commission takes up the Puu Kahana draft EA comments unless there is a lot of time available.

F. UNFINISHED BUSINESS

1. MR. DOYLE BETSILL, President of BETSILL BROTHERS CONSTRUCTION, INC. and MR. LARRY SORIANO of SOUTH KIHEI, INC., owner requesting a Community Plan Amendment for the Waipuilani Estates Subdivision of approximately 8 acres from Multi-Family Residential to Single-Family Residential at 915 South Kihei Road, TMK: 3-9-001: por. of 009, Kihei, Island of Maui. (CPA 20020010) (J. Higa) (Public hearing conducted on November 10, 2003) **(Commissioners: Please bring your materials with you.)**
2. MR. DOYLE BETSILL, President of BETSILL BROTHERS CONSTRUCTION, INC. and MR. LARRY SORIANO of SOUTH KIHEI, INC., owner requesting a Special Management Area Use Permit for the Waipuilani Estates project, a ninety-six (96) lot R-0 Lot Line single family residential development , and supporting infrastructure at 915 South Kihei Road TMK: 3-9-001: 009 and construction of a Government Roadway at Lot C, original Tax Map Key 3-9-001: 011, Kihei, Island of Maui. The project includes the development of 95 single-family residences, an approximate 1.103 acre park, construction of a County road linking the project site with Kulanihakoi Road, and the construction of other on-site infrastructure improvements including sewer, drainage, water, and electrical system improvements. (SM1 20020009) (J. Higa) (Public hearing conducted on November 10, 2003). **(Commissioners: Please bring your materials with you.)**

G. MINUTES OF THE SEPTEMBER 23, 2003 AND OCTOBER 21, 2003 MEETINGS

H. DIRECTOR'S REPORT

1. SMA Minor Permit Report for November 10, 2003 meeting (see attached)
2. SMA Exemptions Report for November 10, 2003 meeting (see attached)
3. SMA Minor Permit Report
4. SMA Exemptions Report

I. NEXT REGULAR MEETING DATE: December 9, 2003

J. ADJOURNMENT

Maui Planning Commission Agenda

November 25, 2003

Page 5

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 1-800-272-0125 (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\112503.age)