

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

AGENDA

DATE: February 24, 2004 (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, Johanna Amorin, Diane Shepherd, Nick Casumpang Jr.

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. INTRODUCTION OF NEW MEMBER NICK CASUMPANG, JR.
- C. PUBLIC HEARINGS (Action to be taken after each public hearing.)
 - 1. MR. MICHAEL W. FOLEY, Planning Director transmitting Council Resolution Number 03-189 containing A Bill for an Ordinance Amending Title 19 of the Maui County Code to Add a New Chapter Pertaining to the Transfer of Development Rights. (J. Summers)
 - a. Public Hearing
 - b. Action
 - 2. WAIPHILANI, LLC requesting a Special Management Area Use Permit on the amended plans for the Kihei Kauhale Subdivision, a 23-lot single-family residential district subdivision and related improvements on East Waipuilani Road, R-3 Residential District, TMK; 3-9-046: 014, Kihei, Island of Maui. A public hearing was previously conducted on a change in zoning request and a Special Management Area Use Permit request for a 52-lot zero lot line single-family residential subdivision. (SM1 2002/0002) (C. Suyama)

- a. Public Hearing
- b. Action

- 3. 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)(J. Alueta)

- a. Public Hearing
- b. Action

D. APPROVAL OF THE MINUTES OF THE OCTOBER 28, 2003 MEETING

E. COMMUNICATIONS

- 1. DONNA Y.L. LEONG of CADES SCHUTTE, attorney for the ASSOCIATION OF APARTMENT OWNERS OF KAA NAPALI ALII CONDOMINIUM and KAA NAPALI ALII RENTAL OWNERS CORPORATION submitting a Petition to Intervene on the Special Management Area Use Permit request for the Maui Ocean Club Sequel project at TMK: 4-4-013: 001, Kaanapali, Island of Maui. (SM1 2002/0026) (J. Alueta)
- 2. ISAAC HALL, attorney for GERALD and BARBARA ROMAIN, THOMAS and ELLEN DUNNION, JOE and BARBARA BONN, BRAD and TERRI FRISSELLE, WAYNE DYER, MARSHA LUCAS, DAVE MELLO, RICHARD RALPH, JESSE D. YOHANAN, JOEL GARBARINO, NATHAN COPELAN. EUGENE and JENNIFER ELLING, DELBERT SMART and JERRY and CONSTANCE KILARE, individually and as some of the members of the KAA NAPALI ALII FRIENDS OF THE ENVIRONMENT submitting a Petition to Intervene on the Special Management Area Use Permit request for the Maui Ocean Club Sequel project at TMK: 4-4-013: 001, Kaanapali, Island of Maui. (SM1 2002/0026) (J. Alueta)
- 3. MR. GLENN TADAKI, Planner of MUNEKIYO & HIRAGA, INC. on behalf of PACIFIC RADIO GROUP requesting a 10-year time extension on the State Land Use Commission Special Use Permit and the transfer of the permit from C & C Radio Corporation to Pacific Radio Group at TMK: 2-2-004: 089, Kula, Island of Maui. (96/SUP-0006) (S. Bosco)

4. MR. RICHARD A. MEANEY, General Manager of the PUAMANA COMMUNITY ASSOCIATION requesting an amendment to the approved Planned Development plans as amended January 7, 2003 for the construction of sundecks off the second floor of original two-story units at the Puamana Planned Unit Development at TMK: 4-6-028 through 33, Lahaina, Island of Maui. (S. Bosco)

E. DIRECTOR'S REPORT

1. SMA Minor Permit Report
2. SMA Exemptions Report

F. NEXT REGULAR MEETING DATE: March 9, 2004

G. 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 1-800-272-0125 (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.

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*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:\al\carolyn\022404.age)