

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

## AGENDA

DATE: OCTOBER 12, 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: 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. KAI MALU WAILEA, LLC requesting a Special Management Area Use Permit for the proposed Kai Malu at Wailea Residential Project, a 153-unit residential project configured in 76 duplex buildings 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. (SM1 2004/0015) (A. Cua)

- a. Public Hearing
- b. Action

### C. COMMUNICATIONS

1. KAI MALU WAILEA, LLC requesting a Step 1 Planned Development Approval and a Step 2 Planned Development Approval for the proposed Kai Malu at Wailea Residential Project, a 153-unit residential project configured in 76 duplex buildings 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. (PD1 20040002) (PD2 20040004) (A. Cua)

D. NEW BUSINESS

1. MR. MARTIN QUILL of WAILEA MF-9 ASSOCIATES LLC requesting an Environmental Assessment Determination on the Final Environmental Assessment prepared in support of the Special Management Use Permit for the Wailea MF-9 Project, a 144 unit residential condominium and related improvements at TMK: 2-1-008: 119, Wailea, Island of Maui. (EA 2004/0008) (K. Caigoy) (C. Suyama) The EA trigger is the use of County lands. (Draft EA reviewed at the August 10, 2004 meeting) (Final EA document distributed at the September 28, 2004.)

WAILEA MF-9 ASSOCIATES LLC has also filed an application for a Special Management Area Use Permit. The Maui Planning Commission will conduct a public hearing on the Special Management Area Use Permit and deal with the Step 2 Planned Development application at a later date after the Environmental Assessment process has been completed.

2. Request for comments on the Draft Environmental Assessment prepared in support of the Community Plan Amendment from Agricultural to Public/Quasi Public for the Maui Preparatory Academy at TMK: 4-3-001: 001 (portion), Napili, Island of Maui. (EA 20040005) (CPA 20040005) (K. Caigoy) (C. Suyama) (The draft EA document was distributed to the Maui Planning Commission at its September 14, 2004 meeting. Commissioners: Please the document with you.)

The EA trigger is the community plan amendment.

The proposed bill for a community plan amendment is part of Council Resolution No. 04-62 containing the following (C. Suyama):

- 1) 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)
- 2) 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)
- 3) 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)

The EA trigger is the Community Plan Amendment.

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

- E. JOINT WORKSHOP WITH THE BOARD OF WATER SUPPLY ON WATER ISSUES. (Staff from the Department of Water Supply, the Wastewater Reclamation Division, and the Department of Fire and Public Safety will serve as resource persons.) (Workshop to take place at 1 pm or soon thereafter.)

Topics to be discussed include:

1. Relationship between the Maui Water Use and Development Plan, the Maui County General Plan, and the Community Plans
2. Current water usage and availability of potable water on Maui Island
3. Status of the potable water situation in the Iao and Waihee Aquifers
4. Clarification/discussion of relationship of building permits and available water supply
5. Department of Water Supply plans for the development, storage, and transmission of additional potable water supply on Maui Island
6. Available water conservation measures
7. Availability of reclaimed water for landscape irrigation purposes from the County of Maui. (Wastewater Reclamation Division)
8. Fire flow and fire protection
9. Development of clear guidelines/ rules concerning fire protection systems in private subdivisions
10. Future dialogue between the two boards on policy matters

- F. MINUTES OF THE AUGUST 24, 2004 MEETING

- G. DIRECTOR'S REPORT

1. Department of the Corporation Counsel transmitting by memo dated September 16, 2004 proposed amendments to the Rules of the Maui Planning Commission pertaining to Section 12-202-12(c) of the Special Management Area Rules regarding the submittal of oral or written comments received from governmental or non-governmental agencies, community organizations, or individuals with regard to the proposed action, and a summary of the dates and attendance of public meetings held on the proposed action. as a required submittal for SMA assessment applications.
2. Report on Shoreline Setback Determinations

- a. MR. ROBERT KARPOVICH requesting a Shoreline Setback Determination for property situated at 55 Aleiki Place 7A, TMK: 2-6-011: 011, Kuau, Island of Maui. (SSD 8) (T. Abbott)
3. EA/EIS Status Report (circulated for September 28, 2004 meeting)
4. SMA Minor Permit Report (circulated for September 28, 2004 meeting)
5. SMA Exemptions Report (circulated for September 28, 2004 meeting)
6. EA/ EIS Status Report
7. SMA Minor Permit Report
8. SMA Exemptions Report

H. NEXT REGULAR MEETING DATE: October 26, 2004

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 1-800-272-0125 (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.

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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.** (S:\all\carolyn\101204.age)