

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

AGENDA

DATE: DECEMBER 10, 2002
TIME: 9:00 A .M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui, Hawaii 96793

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. RESOLUTION FOR COMMISSIONER JOE PONTANILLA
- B. RESOLUTION FOR PLANNING DIRECTOR JOHN MIN
- C. PUBLIC HEARINGS (Action to be taken after each public hearing.)
 - 1. MS. MAXIMA A. MARIANO requesting a Special Management Area Use Permit in order to construct a two-story 2,266 square foot single-family dwelling with a 503 square foot garage and 75 square foot covered lanai as a second dwelling on a lot in addition to an existing ohana dwelling unit at 10 Kahele Street, TMK: 3-9-027: 001, Kihei, Island of Maui. (SM1 20020020) (K. Caigoy)
 - a. Public Hearing
 - b. Action
 - 2. MR. DAVID GOODE, Director of the DEPARTMENT OF PUBLIC WORKS AND WASTE MANAGEMENT requesting a Special Management Area Use Permit for the Lower Honoapiilani Road Phase IV project (Hoohui Road to Napilihau Street consisting of roadway, drainage, and related improvements to a 1.4 mile segment of Lower Honoapiilani Road at TMK: 4-3-03, 4-3-05, 4-3-10, and 4-3-15, Kahana and Napili, Island of Maui. (SM1 2000/0008) (C. Suyama)
 - a. Public Hearing
 - b. Action

3. MR. DAVID GOODE, Director of the DEPARTMENT OF PUBLIC WORKS AND WASTE MANAGEMENT requesting a Shoreline Setback Variance for the Lower Honoapiilani Road Phase IV Improvements (Hoohui Road to Napilihau Street) consisting of roadway improvements (Shoreline Segment 1 between TMK: 4-3-15:36 and 4-3-19:47 and Shoreline Segment 2 between TMK: 4-3-15:8 and 4-3-15:36) and repairs to three (3) existing drainage outlets (Outlet 1 south of Pohailani Condominium at TMK: 4-3-05:27 and 4-3-10: portion of 9; and Outlets 3 and 4 between TMK: 4-3-15:8 and 36), and the construction of two(2) new outlets (Outlet 2 near Hui Road D and Outlet 5 south of Hui Road E) at TMK: 4-3-05:27, 4-3-10: portion of 9, and 4-3-15, Kahana to Napili, Island of Maui. (SSV 2000/0001) (C. Suyama)
 - a. Public Hearing
 - b. Action

4. MR. HIDEO KAWAHARA of A & B PROPERTIES, INC. requesting amendments to the Triangle Square Phase 2 Project Special Management Area Use Permit in order to extend the time period to complete construction by three (3) years and for approval of the modified building design and site layout for a portion of parcel 3 for the new Krispy Kreme Store at TMK: 3-8-079: 002, 003, and 010, Kahului, Island of Maui. (94/SM1-008) (A. Cua)
 - a. Public Hearing
 - b. Action

D. COMMUNICATIONS

1. MR. ISAAC HALL, attorney for the KAHANA SUNSET OWNERS ASSOCIATION submitting a Petition to Intervene on the applications by MR. DAVID W. GOODE, Director of the DEPARTMENT OF PUBLIC WORKS AND WASTE MANAGEMENT for a Special Management Area Use Permit and a Shoreline Setback Variance for the Lower Honoapiilani Road Phase IV Improvements project at Kahana and Napili, Island of Maui. (SM1 2000/0008) (SSV 2000/0001) (C. Suyama)

2. MS. CLAIRE CARROLL, Chairperson of the Hana Advisory Committee to the Maui Planning Commission transmitting recommendations on the requests by MR. HARRY T. HASEGAWA for amendments to the Special Management Area Use Permit in order to construct a 10,960 square foot commercial building for the proposed Hasegawa General Store at TMK: 1-4-003:031, Hana, Island of Maui and to allow for a one-year time extension on the period to initiate construction of the proposed project. (SM1 940024) (M. Niles)
3. MS. CLAIRE CARROLL, Chairperson of the Hana Advisory Committee to the Maui Planning Commission transmitting recommendations on the requests by MR. RICHARD K. PURDY for time extensions on the State Land Use Commission Special Use Permit and Conditional Permit for the Dollar Rent-A-Car Hana baseyard operation at TMK: 1-3-008: 016, Hana, Island of Maui. (SUP2 980011) (CP 990004) (R. Loudermilk)
4. MS. CLAIRE CARROLL, Chairperson of the Hana Advisory Committee to the Maui Planning Commission transmitting recommendations on the requests by MR. PAUL R. MANCINI, attorney on behalf of MR. ROBERT HENRIKSON for amendments to the State Land Use Commission Special Use Permit SUP2 93/0009. The amendments include a request for a 5-year time extension, the consolidation of allowable retail area to 500 square feet, and the designation of the permit holder as Hana Gardenland, LLC for the project known as Hana Gardenland located within the County Agricultural and State Agricultural Districts on approximately 5.2 acres of land at TMK: 1-3-009: 027, Kaeleku, Hana, Island of Maui. (SUP2 93/0009) (J. Alueta)

E. PENDING LITIGATION MATTERS

1. Deputy Corporation Counsel Victoria Takayesu providing an update on the Hale O Kaula Church et. al. v. Maui Planning Commission et. al., Civil No. CV 01-0615 SPK KSC (Appeal of the denial of the Land Use Commission Special Use Permit request) (at approximately 1:00 p.m.)

NOTE: With reference to this agenda item, one or more executive meetings, pursuant to Section 92-5(a)(4), HRS, are anticipated to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the Maui Planning Commission.

F. DIRECTOR'S REPORT

1. Revised Shoreline Area Rules Public Hearing, December 18, 2002, 1:00 p.m.
2. SMA Minor Permit Report (see attached)
3. SMA Exemptions Report (see attached)

G. NEXT REGULAR MEETING DATE: JANUARY 14, 2003

H. ADJOURNMENT

EACH APPLICANT IS REQUESTED TO PROVIDE RESPONSIBLE REPRESENTATION AT THE MEETING.

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.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS, DUE TO DISABILITIES, PLEASE CALL THE MAUI PLANNING DEPARTMENT AT 270-7735 (Maui) OR 1-800-272-0117 (From Molokai) OR 1-800-272-0125 (From 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 SIX (6) 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 working day prior to the meeting date. Thank you for your cooperation. (S:\all\carolyn\121002.age)