

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

AGENDA

DATE: April 12, 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: Susan Moikeha (Vice-Chair), Suzanne Freitas, Patricia Eason, Johanna Amorin, Diane Shepherd, Nick Casumpang Jr., William Iaconetti, Wayne Hedani, Bruce U'u

- A. CALL TO ORDER
- B. INTRODUCTION OF NEW MEMBERS - WAYNE HEDANI and BRUCE U'U
- C. ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON FOR 2005-2006 YEAR
- D. ORIENTATION WORKSHOP
 - 1. County Policy Against Sexual Harassment
 - 2. The Sunshine Law
 - 3. Ex parte Communications
 - 4. Discussion of Boards and Commissions Booklet Distributed by the Office of the Corporation Counsel
 - 5. Powers and Duties
 - 7. Rules of Practice and Procedures
 - 8. Land Use Regulatory Framework in Maui County
 - 9. Zoning
 - 10. Special Management Area Rules
 - 11. Shoreline Area Rules
 - 12. Country Town Business Design Guidelines - Paia-Haiku, Makawao-Pukalani-Kula, and Hana Community
 - 13. Chapter 343, HRS, The EA/EIS Process
 - 14. Recent U.S. Supreme Court decisions on takings issues.
 - 15. Public Access Shoreline Hawaii (PASH) v. Hawaii County Planning Commission
 - 16. Hawaii Supreme Court Decision regarding the Topliss case (SMA)
 - 17. Meeting Schedule
- E. PRESENTATION ON THE FOCUS MAUI NUI SURVEY RESULTS BY A REPRESENTATIVE FROM THE MAUI ECONOMIC DEVELOPMENT BOARD (To begin at approximately at 1:00 p.m. or soon thereafter.)

Public testimony will be taken at 2:00 p.m. on any remaining 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 this time will not be allowed to testify again when the agenda item comes up before the Commission, unless new or additional information will be offered.

F. PUBLIC HEARINGS (Action to be taken after each public hearing.) (To begin no earlier than 2:00 p.m.)

1. MR. LLOYD T. SUEDA OF SUEDA & ASSOCIATES, INC. requesting a Phase 2 Project District Approval for the Maui Lani Medical and Commercial Development to accommodate Kaiser Permanente, St. Francis Dialysis Center and related medical and commercial uses located east of Hale Koa Tract and south of Kaahumanu Avenue at TMK: 3-8-007; 142 (por) and 140 (por), Wailuku, Island of Maui. (PH2 2005/0001) (A. Cua)
 - a. Public Hearing
 - b. Action

2. BAY WEST INVESTMENT COMPANY, LLC requesting a Special Management Area Use Permit for the Maui Islander Renovations II project in order to allow demolition of the existing tennis courts and construction of a swimming pool and garden area on the property, renovation of the front lobby, and construction of a lava stone wall and a CMU /plaster wall at 660 Waiee Street, TMK: 4-6-011: 008, Lahaina, Island of Maui. (SM1 2004/0031) (S. Solamillo) (The public hearing on this matter has been rescheduled until the May 10, 2005 meeting due to noticing problems.)

G. NEW BUSINESS

1. Environmental Assessment Determination on the Final Environmental Assessment prepared in support of the community plan amendment request contained in Council Resolution No. 04-151 to amend the Paia-Haiku Community Plan and Land Use Map from Park to Single Family Residential for the for the Makawao Hongwanji property at TMK; 2-7-004: 021, Haiku, Island of Maui. (EA 2004/0017)(CPA 2004/0010)(CIZ 2004/0018)(K. Caigoy) (The Draft EA was reviewed by the Maui Planning Commission at its March 8, 2005 meeting.)

The EA trigger is the community plan amendment.

The Council Resolution also contains the following zoning change request for the subject property:

A Bill for an Ordinance to Change Zoning from Urban Reserve District to P-1 Public/Quasi-Public District for property situated at Haiku, Maui, Hawaii. (CIZ 20040018)

The public hearing on the community plan amendment and change in zoning requests will be scheduled for a future date after the EA process has been completed.

G. COMMUNICATIONS

1. PACIFIC LAND & HOMES, LLC requesting a Step 3 Planned Development Approval for the Kanani Wailea Single-Family Residential Project, a thirty-eight (38) single-family detached condominium units with recreation center and related site improvements at 4050 Kalai Waa Street, TMK: 2-1-008: 113, Wailea, Island of Maui. (PD3 2005/0002) (C. Suyama)
2. MR. CHRISTOPHER L. HART of CHRIS HART AND PARTNERS, INC. requesting an amendment to Condition No. 1 of the Special Management Area Use Permit to extend the time by one-year on the period to initiate construction of the proposed 700 square foot pool bar located adjacent to the existing swimming pools of the Hyatt Regency Maui Resort at TMK: 4-4-013: 008, Kaanapali, Lahaina, Island of Maui. (SM1 2002/0022) (D. Shupack)
3. MR. MICH HIRANO, AICP of MUNEKIYO & HIRAGA, INC. on behalf of MAKENA RESORT CORP. requesting an amendment to Condition No. 1 of Special Management Area Use Permit to extend the period of time by one year to initiate construction of the proposed golf course maintenance washpad and related improvements located at the Makena Golf Course, 5415 Makena Alanui, TMK: 2-1-005: 108 (portion), Makena, Island of Maui. (SM1 2002/0022) (D. Dias)

H. APPROVAL OF MINUTES OF THE FEBRUARY 22, 2005 and MARCH 8, 2005 MEETINGS

I. DIRECTOR'S REPORT

1. Scheduling of the public hearing date in West Maui on the following applications:

- a. MR. RYAN CHURCHILL of MAUI LAND AND PINEAPPLE CO. INC. requesting a Phase 2 Project District Approval and a Special Management Area Use Permit for the Kapalua Village project, a commercial complex containing 12,103 square feet of commercial space and related improvements at TMK: 4-2-004: 035 and 038 (portion), Kapalua, Lahaina, Island of Maui. (A. Cua)
2. Scheduling of a workshop/ site inspection of various Maui Land and Pineapple Co., Inc. West Maui projects:
 - a. Kapalua Village Commercial Phase 2 Project District Approval and Special Management Area (SMA) applications (Kapalua Bay Hotel site)
 - b. Residences at Kapalua SMA application
 - c. Pulelehua land use applications
3. EA/EIS Status Report
4. SMA Minor Permit Report
5. SMA Exemptions Report

J. NEXT REGULAR MEETING DATE: April 26, 2005

K. 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 (Mokai) 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\cardyn\041205.age)