

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

AGENDA

DATE MARCH 12, 2002
TIME: 9:00 A.M.
PLACE: Council Committee Meeting Room, 7th Floor, Kalana O Maui Building, 200
 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. PUBLIC HEARINGS (Action to be taken after each public hearing)

1. MR. DONOVAN WEBB, R.M.E., Managing Partner of M2W L.L.C. requesting a State Land Use Commission District Boundary Reclassification from State Agricultural District to State Urban District for 3.706 acres of land and a Change in Zoning from County Agricultural District to R-1 Single Family Residential District for 7.445 acres of land for the Waiolani Pikake project, a 38-lot residential subdivision and related improvements at TMK: 3-5-004: 092, Waikapu, Island of Maui. (DBA 2001/0004) (CIZ 2001/0013) (J. Alueta)
 - a. Public Hearing
 - b. Action

2. MR. JOSHUA STONE requesting a Special Management Area Use Permit for the Stone Residences project consisting of the construction of two single-family dwellings and one accessory ("ohana") dwelling and related improvements at 568 Hana Highway, TMK: 2-6-010: 002, Paia, Island of Maui. (SM1 20010022) (R. Loudermilk)
 - a. Public Hearing
 - b. Action

3. MR. JOHN E. MIN, Planning Director, transmitting an amendment to Chapter 19.510.010.D, Application and Procedures, Content of Application, of the Maui County Code to read: " All applications shall provide the following information, if applicable:" . (J. Summers)
 - a. Public Hearing
 - b. Action

B. COMMUNICATIONS

1. KENN and ANJULE DESURE requesting to amend a Land Use Commission Special Use Permit and Ordinance No. 3008 granting approval to operate a two bedroom vacation rental within an existing residence occupied by the owner/operator to include a one-bedroom second farm dwelling as a vacation rental at 240 N. Holokai Road, TMK: 2-8-004: 104, Haiku, Island of Maui. (SUP2 2001/0003) (CP2001/0002) (C. Suyama)
2. MR. C. EARL STONER on behalf of ULUPALAKUA RANCH requesting reconsideration of the Maui Planning Commission's recommended conditions on his zoning application heard at the January 22, 2002 meeting:

MR. C. EARL STONER on behalf of ULUPALAKUA RANCH, INC. requesting a change in zoning from Interim District to R-3 Single Family Residential District for the proposed Papaanui Beach Subdivision, a 4 lot subdivision on approximately 2.352 acres on Makena Keoneoio Road at TMK: 2-1-007: 103, Makena, Island of Maui. (CIZ 2001/0005) (W. Spence)

C. UNFINISHED BUSINESS

- * 1. MR. PAUL L. HORIKAWA, attorney from ING, HORIKAWA, KUWADA JORGENSEN on behalf of MAALAEA TRIANGLE PARTNERSHIP submitting a Petition for Declaratory Ruling requesting that the Maui Planning Commission issue a declaratory ruling that clarifies and confirms the interpretation of the Maui County Planning Department that Condition 3 of the Special Management Area Permit dated June 22, 1989, as amended, for the Maalaea Triangle/ Maui Ocean Center project is not applicable to Lots 8 and 9 of the Maalaea Triangle Subdivision or in the

alternative that the County of Maui is estopped from preventing completion of the construction of the Maui Golf and Water Park, TMK: 3-6-001: 001, 008, 009, and 019, Maalaea, Island of Maui (89/SM1-003) (C. Yoshida) (previously reviewed at the February 26, 2002 meeting)

- * **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.**

D. DIRECTOR'S REPORT

1. Scheduling of decisionmaking date on the following contested case hearing:

MR. IAN D. SMITH, Project Manager of KRS DEVELOPMENT, INC. requesting a Special Management Area Use Permit for the North Shore Village, a 24-lot residential subdivision and related improvements at Hana Highway, TMK: 2-6-005: 007, 008, & 009, Paia, Island of Maui. (SM1 2001/0005) (W. Spence) (Public Hearing conducted on July 24, 2001)

- a. Lance Holter, Intervenor.
 - b. Madelyn D'Enbeau for the Estate of Jonathan Waxman, Intervenor.
2. SMA Minor Report (see attached)
 3. SMA Exemptions Report (see attached)

E. NEXT REGULAR MEETING DATE: MARCH 25, 2002 (Monday)

F. 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 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.

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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\031202.age)