

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

AGENDA

DATE: June 28, 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 (Chair), Suzanne Freitas (Vice-Chair), Patricia Eason, Johanna Amorin, Diane Shepherd, Nick Casumpang Jr., William Iaconetti, Wayne Hedani, Bruce U'u

Public testimony will be taken 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.)

1. PACIFIC RIM LAND, INC. requesting a Special Management Area Use Permit for the Ukumehame Subdivision Phase I and Phase II, a 45-agricultural lot subdivision and related improvements, lots for a river corridor, a future County park, and a future State highway right-of-way at TMK: 4-8-002: 009, 048, 052-056, 060, 061, 065, 066, 068, & 070, Ukumehame, Island of Maui. (SM1 2005/0006) (T. Abbott)
 - a. Public Hearing
 - b. Action
2. MR. AUSTIN SWARTZ, Building Committee Chair of the KIHEI SEVENTH DAY ADVENTIST CHURCH & PRESCHOOL requesting the following land use changes to construct a small church and preschool, administrative office, associated parking, and landscaping on the 5.77 acre site located on Lipoa Drive at TMK: 3-9-001: 149, Kihei, Island of Maui: (C. Suyama)
 - a) State Land Use District Boundary Reclassification from the State Agricultural District to the State Urban District (DBA 2004/0005);
 - b) Change in Zoning from County Agricultural District to A-1 Apartment District (CIZ 2004/0007);

- c) County Special Use Permit to operate a church and preschool in the A-1 Apartment District (CUP 2004/0001); and
 - d) Special Management Area Use Permit in order to construct a church and a preschool (SM1 2004/0003).
 - a. Public Hearing
 - b. Action
3. AMERON INTERNATIONAL CORPORATION dba AMERON HAWAII requesting a State Land Use Commission Special Use Permit and a Conditional Permit for the Kihei Concrete Batch Plant Relocation in the vicinity of the Piilani Highway-Mokulele Highway intersection at TMK: 3-8-004: 002, Kihei, Island of Maui. (SUP2 2005/0001) (CP 2005/0001) (R. Loudermilk)
- a. Public Hearing
 - b. Action
4. MR. STERLING J. KIM of STERLING MANAGEMENT COMPANY, LIMITED requesting a Special Management Area Use Permit in order to construct the Federated Auto Parts Automotive Retail Parts Outlet consisting of a two-story warehouse/retail building for distribution of automotive parts and office rental space at Halekuai Street, Kihei Business Park, TMK: 3-9-051: 007, Kihei, Island of Maui. (SM1 2004/0034) (P. Fasi)
- a. Public Hearing
 - b. Action
5. MR. CHRISTOPHER L. HART of CHRIS HART AND PARTNERS requesting the deletion of Condition No.2 of the Special Management Area (SMA) Use Permit for Phase 1 of the Kamalii Alayna (formerly Waipuilani Estates) Subdivision at TMK: 3-9-001: 009, Kihei, Island of Maui. (SM1 2002/0018)

Condition No. 2 of the SMA Use Permit for Phase 1 states:

“That Phase 2 development shall not be constructed and shall be referred back to the Maui Planning Commission (Commission) for review and consideration after the Maui County Council has acted upon the Community Plan Amendment and after the Department of Public Works and Environmental Management submits a report to the Commission on the feasibility of redirecting water flows from

the Waipuilani Gulch to Kulanihakoi Gulch drainage basins. This report should include an update of the information in the Kihei Drainage Master Plan report prepared by Norman Saito Engineering, Inc. dated 1997 in light of new developments in the Waipuilani-Kulanihakoi drainage basin. This updated report should address the cost and effect of redirecting the flow of water, and to determine if the redirection will remove or reduce the flooding on the subject property. “

- a. Public Hearing
- b. Action

C. COMMUNICATIONS

1. MR. GEORGE Y. TENGAN, Director, DEPARTMENT OF WATER SUPPLY requesting a time extension to Condition No. 3 of an amended State Land Use Commission Special Use Permit on the time to complete construction of a new sludge lagoon over the existing pre-sedimentation basin at the Lahaina Water Plant on approximately 2.8 acres of land at TMK: 4-6-018: por. of 012, Lahaina, Island of Maui. (91/SUP-017) (D. Dias)

D. UNFINISHED BUSINESS

1. MR. DOYLE BETSILL on behalf of BETSILL BROTHERS CONSTRUCTION and LARRY SORIANO of SOUTH KIHEI, INC. requesting a Special Management Area Use Permit for Phase 2 of the Kamalii Alanya (formerly Waipuilani Estates) Subdivision consisting of 35 R-0 Lot Line Overlay Single-Family Lots and Improvements at TMK: 3-9-001:009, Waiohuli-Keokea Beach Lots, Kihei, Island of Maui. (SM1 2002/0018) (C. Suyama) (deferred from November 25, 2003 meeting pending Council action on the Community Plan Amendment request)

E. DIRECTOR'S REPORT

1. Planning Director's June 7, 2005 Memo on Demolition of Structures in the Shoreline Area (T. Abbott)
2. EA/EIS Status Report
3. SMA Minor Permit Report
4. SMA Exemptions Report

F. NEXT REGULAR MEETING DATE: July 12, 2005

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.

*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\carolyn\062805.age)