

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

AGENDA

DATE: NOVEMBER 9, 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. MR. STEVE SEWALL on behalf of INTRAWEST requesting a Special Management Area Use Permit for the Honua Kai project consisting of approximately 624 hotel units, 76 town home units and related amenities, and public park with related improvements at TMK: 4-4-014: 006 and 008 and 4-4-001: 010, Lot 4 Kaanapali North Beach, Lahaina, Island of Maui. (SM1 2004/0017) (C. Suyama)

- a. Public Hearing
- b. Action

C. COMMUNICATIONS

1. MR. STEVE SEWALL on behalf of INTRAWEST requesting a Step 2 Planned Development Approval for the proposed Honua Kai Resort consisting of 624 hotel rooms, 76 town homes, related resort improvements, and North Beach Park and public shoreline access on approximately 41.3 acres of land at TMK: 4-4-014: 006 and 008, 4-4-001: 010, Kaanapali, Lahaina, Island of Maui. (PD2 2004/0005) (C. Suyama)

2. MR. STEVE SEWALL on behalf of INTRAWEST requesting clarification as to whether proposed roadway improvements qualify as “other mitigation measures” pursuant to Condition No. 7 of the 1988 Special Management Area Permit and Shoreline Setback Variance for the North Beach Subdivision and Condition No. cc of the 1997 Special Management Area Permit for Kaanapali Ocean Resort., Kaanapali, Lahaina, Island of Maui. (88/SM1-023) (88/SSV-002) (SM1 970006) (C. Suyama)
3. MR. ISAAC HALL, Esq. , attorney for THE WEST MAUI PRESERVATION ASSOCIATION, INC. submitting a Petition to Intervene dated October 22, 2004 on the Special Management Area Use Permit and Step 2 Planned Development Approval requests for the Intrawest Honua Kai project consisting of approximately 624 hotel units, 76 town home units and related amenities, and public park with related improvements at TMK: 4-4-014: 006 and 008 and 4-4-001: 010, Lot 4 Kaanapali North Beach, Lahaina, Island of Maui. (SM1 2004/0017) (PD2 2004/0005) (C. Suyama)
 - a. Action on intervention request
 - b. Selection of mediator if intervention request is granted
4. MR. CHARLES D. FOX III, Pro Se submitting a Petition to Intervene dated October 22, 2004 on the Special Management Area Use Permit and Step 2 Planned Development Approval requests for the Intrawest Honua Kai project consisting of approximately 624 hotel units, 76 town home units and related amenities, and public park with related improvements at TMK: 4-4-014: 006 and 008 and 4-4-001: 010, Lot 4 Kaanapali North Beach, Lahaina, Island of Maui. (SM1 2004/0017) (PD2 2004/0005) (C. Suyama)
 - a. Action on intervention request
 - b. Selection of mediator if intervention request is granted.
5. MR. MICHAEL MUNEKIYO, AICP, of MUNEKIYO & HIRAGA, INC. on behalf of AMERON HAWAII requesting a Land Use Commission Special Use Permit and a Conditional Permit time extension to continue to operate a concrete batching plant on approximately 2.02 acres of located in the State Agricultural District and zoned Agricultural at TMK: 3-8-004: portion of 023, Kihei, Island of Maui. (SUP2 980014) (CP 980010) (R. Loudermilk)

D. UNFINISHED BUSINESS

- 1a. 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) (Public hearing conducted and closed on October 12, 2004)
- b. 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)
 - 1) Untimely October 26, 2004 letter received on October 27, 2004 letter from DENNIS G. KLEID requesting to Petition to Intervene as a Formal Party in the Proceedings before the Maui Planning Commission.

Untimely Amended Petition to Intervene dated October 28, 2004 from ISAAC HALL and JOEL ESER RICHMAN, attorneys for DENNIS G. KLEID on the Kai Malu Wailea, LLC requests.

 - a) Action on the intervention request
 - b) Selection of a mediator if intervention is granted.
 - 2) Decision making on the Special Management Area Use Permit and Step 1 and Step 2 Planned Development Approval requests

E. DIRECTOR'S REPORT

1. EA/ EIS Status Report
2. SMA Minor Permit Report
3. SMA Exemptions Report
4. Special Maui Planning Commission meeting on November 17, 2004 at 8:30 a.m., Planning Department Conference Room to decide on the reopened contested hearing on the Hale O Kaula Church Land Use Commission Special Use Permit request.

F. NEXT REGULAR MEETING DATE: November 23, 2004

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\cardyn\110904.age)