

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

AGENDA

DATE: August 10, 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, Susan Moikeha, 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. DOUGLAS E. MYERS requesting a Special Management Area Use Permit for the West Maui Breakers Project, a 90-unit multi-family apartment complex consisting of four (4), 3-story buildings and one (1), two-story building and related improvements at 3702 Lower Honoapiilani Road, TMK: 4-3-006: 002 and 069, Honokowai, Lahaina, Island of Maui. (SM1 2004/0008) (J. Alueta)
 - a. Public Hearing
 - b. Action
2. MR. SCOTT NUNOKAWA of WAIKAPU 28 INVESTMENT, LLC requesting the following for the Waiolani Mauka Residential Subdivision Project, a 108+ unit single-family residential subdivision project at TMK: 3-5-004: 025, Waikapu, Island of Maui. (CPA 2004/0001) (CIZ 2004/0002) (J. Alueta)
 - a) A Community Plan Amendment request from Public/Quasi-Public to Single Family Residential for a 2-acre portion and to delete reference to Waikapu Fire Station, Matrix No. 22 in the Wailuku-Kahului Community Plan.

- b) A zoning change from County Ag. to R-2 Residential District for the 28.817 acre property.
- a. Public Hearing
- b. Action

C. APPROVAL OF MINUTES OF THE JUNE 23, 2004 MEETING

D. COMMUNICATIONS

1. MR. MARTIN W. QUILL on behalf of WAILEA MF-9 ASSOCIATES, LLC requesting a Step 1 Planned Development Approval for the proposed 144 Unit Multi-Family Resort Development to include vacation rentals and related improvements on approximately 30.167 acres of land at TMK: 2-1-008: 119, Wailea, Kihei, Island of Maui. (PD1 2-004/0004) (C. Suyama)
2. MR. CHRIS HART of CHRIS HART AND PARTNERS on behalf of ALOHA MANSIONS LLC requesting a Step 1 Planned Development Approval for the Aloha Village Townhouse Development project consisting of 78 townhouses and a recreational center on approximately 8.5 acres at 2455 South Kihei Road, TMK: 3-9-020:007, Kihei, Island of Maui. (PD1 2004/0003) (S. Bosco)

E. NEW BUSINESS

1. Comments on the draft Environmental Assessment prepared in support of the Community Plan Amendment in Resolution No. 04-33 from Public/Quasi-Public to Single Family Residential for the Fukiyu Ueoka property at 281 Hana Highway, TMK: 2-6-008: 019, Paia, Island of Maui. (EA 2004/0002) (K. Caigoy) (J. Alueta) The EA trigger is the Community Plan Amendment.

The Maui County Council has transmitted Council Resolution No. 04-33 containing the following land use change bills for the Fukiyu Ueoka property at 281 Hana Highway, TMK: 2-6-008: 019, Paia, Island of Maui:

- a) A Bill for an Ordinance to Amend the Paia-Haiku Community Plan from Public/Quasi-Public to Single Family Residential (CPA 2004/0002) (J. Alueta)
- b) A Bill for an Ordinance to Change Zoning from Interim District to R-1 Residential District. (CIZ 2004/0008) (J. Alueta)

The public hearing on the community plan and change in zoning requests will be conducted at a later date after the Environmental Assessment process has been completed.

2. MR. MARTIN QUILL of WAILEA MF-9 ASSOCIATES LLC requesting comments on the draft Environmental Assessment prepared in support of the Special Management Use Permit for the Wailea MF-9 Project, a 144 unit residential condominium and related improvements at TMK: 2-1-008: 119, Wailea, Island of Maui. (EA 2004/0008) (K. Caigoy) (C. Suyama) The EA trigger is the use of County lands.

WAILEA MF-9 ASSOCIATES LLC has also filed an application for a Special Management Area Use Permit. The Maui Planning Commission will conduct a public hearing on the Special Management Area Use Permit and deal with the Step 2 Planned Development application at a later date after the Environmental Assessment process has been completed.

F. ADOPTION OF DECISION AND ORDER

Montana Beach Appeals (Docket Nos. 01-0002 through 01-0006)(June 23, 2004)

Order denying the appeals of the landowners regarding the Planning Department's rescission of SMA exemption determinations for property situated at TMK: 2-5-005: 014, Paia, Island of Maui.

G. DIRECTOR'S REPORT

1. Notification of the transfer of the following Special Management Area Use Permits:
 - a. From William Landry dba Environmental Ohana Ltd. to Walaka Maui Associates for the Landry Apartments, an 18-unit apartment complex at TMK: 3-9-016: 001, Kihei, Island of Maui. (SM1 2001/0002) (P. Fasi)
 - b. From Waiphilani, LLC to Kihei 23, LLC for the Kihei-Kauhale Residential Development at TMK: 3-9-046: 014, Kihei, Island of Maui. (SM1 2002/0002) (C. Suyama)
2. Designation of the Hana Advisory Committee to the Maui Planning Commission to conduct the public hearing on the following applications:
 - a. MR. EDWIN YOUNG requesting a State Land Use Commission Special Use Permit for the Blue Pool Marketplace in order to maintain an existing farmers market, café, crafts gallery, snack shop, produce stand, and parking area in the State Agricultural District at TMK: 1-3-002: 012, Nahiku, Island of Maui. (SUP2 2004/0003) (SMX 2004/0134) (R. Loudermilk)

- b. STATE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES requesting a Special Management Area Use Permit for the Hana High and Elementary School Improvements project consisting of the development of a 2-story, 6-classroom building and related improvements, playground and ballfield improvements, and expansion of the existing parking lot at 4111 Hana Highway, TMK: 1-3-006: 008, Hana, Island of Maui. (SM1 2004/0016) (P. Fasi)
3. Scheduling of site visit as determined at the July 27, 2004 meeting on the reopening of the contested case proceeding on the following appeal:

Appeal by Mr. James Geiger of Mancini, Welch & Geiger on behalf of Douglas Richard White from the determination of the Director, Department of Planning by letter dated January 24, 2003 to rescind the Special Management Area (SMA) Exemption determination by letter dated August 8, 2002 regarding the construction of a single family dwelling at 1377 Front Street, TMK: 4-5-012: 018, Lahaina, Island of Maui. (SM5 2002/0289) (APPL 2003/0004)

James Richard McCarty, attorney for Momi Keahi, Kai Keahi, and Kalani Kapu intervening on the abovementioned appeal.

4. EA/ EIS Status Report
5. SMA Minor Permit Report
6. SMA Exemptions Report

H. NEXT REGULAR MEETING DATE: August 24, 2004

I. 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.

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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\081004.age)