

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 23, 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. UNFINISHED BUSINESS

1. CHRIS HART AND PARTNERS on behalf of GENESEE CAPITAL requesting a Special Management Area Use Permit for the Maui Lu Redevelopment Project consisting for the demolition of existing structures and the redevelopment of the Maui Lu Resort into a 400-unit time share complex with lock-off units, recreational amenities, landscaping beach nourishment, and related improvements on approximately 27.282 acres of land at 575 South Kihei Road, TMK: 3-9-001: 083, 086, and 120, Kihei, Island of Maui. (SM1 2003/0021) (J. Alueta) (Public hearing conducted on July 12, 2005.)
 - a. MR. GUY A. HAYWOOD, attorney MAUI BEACH VACATION CLUB submitting an untimely Petition to Intervene received July 1, 2005 on the request by CHRIS HART AND PARTNERS on behalf of GENESEE CAPITAL for a Special Management Area Use Permit for the Maui Lu Redevelopment Project consisting for the demolition of existing structures and the redevelopment of the Maui Lu Resort into a 400-unit time share complex with lock-off units, recreational amenities, landscaping beach nourishment, and related improvements on approximately 27.282 acres of land at 575 South Kihei Road, TMK: 3-9-001: 083, 086, and 120, Kihei, Island of Maui. (SM1 2003/0021) (J. Alueta) (deferred from the July 12, 2005 meeting)

PAUL R. MANCINI of MANCINI WELCH & GEIGER, LLP and B. MARTIN LUNA of CARLSMITH BALL LLP, attorneys for GREGORY W. SCHNEIDER and GENESEE CAPITAL submitting a July 11, 2005 Notice to Planning Commission of the County of Maui Untimely Filing Re: Petition to Intervene filed by Maui Beach Vacation Club before the Planning Commission of the County of Maui, State of Hawaii, Docket No. SM1 2003-0021)

Action on Intervention Request

- b. Action on SMA request

C. COMMUNICATIONS

- 1. MR. CHRISTOPHER L. HART on behalf of ALOHA MANSIONS, LLC requesting a Step 3 Planned Development Approval for the Aloha Village project, a 78-unit long-term residential townhouse complex and related on approximately 8.5 acres at TMK: 3-9-020: 007, Kihei, Island of Maui. (PD3 2005/0003) (J. Hunt)

D. APPROVAL OF MINUTES OF THE JULY 12, 2005 MEETING

E. DIRECTOR'S REPORT

- 1. Scheduling of the public hearing date in the Kihei-Makena Community Plan region on the following applications:

MR. MILTON ARAKAWA, Director of the DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL MANAGEMENT requesting an amendment to the Piilani Village Project District Map, a Phase II Project District Approval, and a Special Management Area Use Permit for the Kihei Recycling and Redemption Center in Kihei-Makena Project District No. 5 (Piilani Village), TMK: 2-2-002: 042 (portion), Kihei, Island of Maui. (PH2 2005/0005) (SM1 2005/0020) (C. Suyama)

- 2. EA/EIS Status Report
- 3. SMA Minor Permit Report
- 4. SMA Exemptions Report

F. NEXT REGULAR MEETING DATE: September 13, 2005

G. ADJOURNMENT

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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\082305.age)