

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

AGENDA

DATE: February 27, 2007 (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: Wayne Hedani (Chair), Jonathan Starr (Vice-Chair), Suzanne Freitas,
Patricia Eason, Johanna Amorin, William Iaconetti, Bruce U'u, John Guard
IV

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 HEARING (Action to be taken after each public hearing item.)

1. DKK PROPERTIES, LLC requesting a Special Management Area Use Permit for the proposed Two Daughters Business Building, a two-story, 7,654 square foot mixed-use commercial building and related improvements including the provision of onsite parking and landscaping at 2679 Wai Wai Place, TMK: 3-9-051: 041, Kihei, Island of Maui. (SM1 2006/0021) (P. Fasi)
 - a. Public Hearing
 - b. Action
2. FOUR SEASONS MAUI requesting a Special Management Area Use Permit for the proposed adult pool, cabana, and trellis improvements at the Four Seasons Resort involving the development of a 2,270 sf adult pool and related deck/towel stand, spa facilities, deck area, and ADA-compliant bathroom, reconfiguration of an existing koi pond, and related site grading and landscaping and related improvements at 3900 Wailea Alanui Drive, TMK: 2-1-023: 007 (por.), Wailea, Kihei, Island of Maui. (SM1 2006/0027) (P. Fasi)

- a. Public Hearing
- b. Action

C. COMMUNICATIONS

1. FOUR SEASONS MAUI requesting a Step 1 Planned Development Approval and a Step 2 Planned Development Approval for the proposed adult pool, cabana, and trellis improvements at the Four Seasons Resort involving the development of a 2,270 sf adult pool and related deck/towel stand, spa facilities, deck area, and ADA-compliant bathroom, reconfiguration of an existing koi pond, and related site grading and landscaping and related improvements at 3900 Wailea Alanui Drive, TMK: 2-1-023: 007 (por.), Wailea, Kihei, Island of Maui. (PD1 2006/0003) (PD2 2006/0003) (P. Fasi)

The Commission may take action on these requests.

2. SUNSTONE KEOKEA, LLC requesting a 1-year time extension on the period to initiate construction for the Liloa Subdivision at TMK: 3-9-002: 116, 150, and 151, Kihei, Island of Maui. (SM1 2004/0010) (C. Suyama) (Deferred from the February 13, 2007 meeting. Commissioners: Please bring your report with you.)

The Commission may take action on this request.

3. MS. KATRINA JAKEWAY of SPA REJUVA & FITEXPRESS requesting an amendment to an existing Accessory Use Permit to operate a massage school at an existing Day Spa and Fitness Center in the B-R Business Resort District at the Fairway Shops in Kaanapali, 2580 Kekaa Drive, TMK: 4-4-008: 017, Lahaina, Island of Maui. (ACC 2005/0002) (D. Shupack) (Deferred from the February 13, 2007 meeting. Commissioners: Please bring your report with you.)

The Commission may take action on the request.

4. MR. REY T. PIROS requesting a transfer of the State Land Use Commission Special Use Permit from CHRISTOPHER BERNARD to REY T. PIROS and a 10-year time extension on the Land Use Commission Special Use Permit to operate the Rey-Cel Broadcasting, Inc. facility at 729 Waiakoa Road, TMK: 2-2-009: 022, Kula, Island of Maui. (SUP 920006) (D. Dias) (Deferred from the February 13, 2007 meeting. Commissioners: Please bring your report with you.)

The Commission may take action on these requests.

5. OHANA HOTEL COMPANY, LLC requesting a Special Management Area Use Permit one-year time extension on the period to initiate construction on the Hana Ranch Store at the Hana Town Center, TMK: 1-3-006: 056, Hana, Island of Maui. (SM1 2004/0020) (D. Dias)

The Commission may take action on this request.

D. SETTLEMENT

1. Corporation counsel will present a settlement agreement with a recommendation for action by the Commission arising out of a contested case between MICHAEL BASKIN and the COUNTY OF MAUI PLANNING DEPARTMENT regarding Notices of Violation issued(V 2005/0033, V2005/0034, V 2005/0035) for alleged Special Management Area and Shoreline Setback infractions for properties situated at 21 Holo Place(TMK: 2-6-008: 021) and 27 Holo Place (TMK: 2-6008: 029), Paia, Island of Maui. (T. Abbott) (Deferred from the February 13, 2007 agenda. Commissioners please bring your report with you.)

* **An Executive Session may be called by the Commission in order discuss their duties, powers, and liabilities as it relates to the subject settlement agreement.**

E. NEW BUSINESS

1. WESTERN APARTMENT SUPPLY & MAINTENANCE COMPANY requesting comments on the Draft Environmental Assessment prepared in support of the Community Plan Amendment from Single Family Residential to H-M Hotel for the Maui Oceanfront Inn and Sarento's on the Beach Restaurant project at 2980 South Kihei Road, TMK: 3-9-004: 029 and 3-9-004: 149, Kihei, Island of Maui (EA 2006/00 (R. Loudermilk) (The draft EA was circulated to the Maui Planning Commission at its February 13, 2007 meeting. Commissioners: Please bring the DEA with you.)

The EA trigger is the Community Plan Amendment. The Maui Planning Commission is the accepting authority for the EA.

The Planning Commission is being asked to:

- a. Provide concurrence on the filing the Draft Environmental

Assessment and the Anticipated Findings of No Significant Impact (FONSI) with OEQC for publication.

- b. Provide comments on the draft Environmental Assessment.

The public hearing on the Community Plan Amendment, Conditional Permit, and Special Management Area Use Permit will be scheduled for a future date after the Chapter 343 process has been completed.

The Commission may act on the requests for concurrence and comments

F, UNFINISHED BUSINESS

1. MR. JEFFREY S. HUNT, Planning Director, transmitting Council Resolution No. 06-131 containing A Bill for an Ordinance Amending Chapter 19.04, Maui County Code, Pertaining to General Provisions and Definitions, and Chapter 19.36 Pertaining to Off-Street Parking and Loading. The purpose of the draft bill is to establish new definitions and standards for residential uses within a single project, in the Village Mixed Use District as allowed in a Project District, the B-2 Community Business District, the B-3 Central Business District, and the B-CT Country Town Business District. (J. Alueta) (Deferred at the February 13, 2007 meeting.)

G. DIRECTOR'S REPORT

1. Scheduling of the Site Inspection of Various Kapalua Projects: (A. Cua)
 - a. Kapalua Coastal Trail EA and SMA Applications
 - b. Kapalua Ritz-Carlton SMA Application for Renovations
 - c. Kapalua Central Resort SMA and Phase 2 Project District Applications

The Commission may decide on a date, starting time, and meeting place to begin the site inspections.
2. Scheduling of the public hearing in West Maui on the following project district applications:
 - a. W2005 KAPALUA/ GENGATE HOTEL REALTY, LLC requesting a Phase 2 Project District Approval and a Special Management Area Use Permit for the Proposed Lobby and Common Area Improvements at the Ritz Carlton Kapalua, 1 Ritz-Carlton Drive, TMK: 4-2-004: 021, Kapalua, Lahaina, Island of Maui. (SM1 2006/0039) (A. Cua)
 - b. MR. RYAN CHURCHILL of MAUI LAND & PINEAPPLE COMPANY

requesting a Phase II Project District Approval and Special Management Area Use Permit for the proposed Kapalua Central Resort Project on 34 acres of land within the Kapalua Resort consisting of multi-family residential units, administrative facilities, and the realignment of Office Road and a 15-lot larger lot subdivision at TMK: 4-2-004: portion of 024, Kapalua, Lahaina, Island of Maui. (PH2 2006/0006) (SM1 2006/0029) (A. Cua)

3. Planning Commission Projects/Issues
4. Status of the Kahoolawe Site Inspection
5. EA/EIS Report
6. SMA Minor Permit Report distributed for the February 13, 2007 meeting
7. SMA Minor Permit Report
8. SMA Exemptions Report distributed for the February 13, 2007 meeting
9. SMA Exemptions Report

H. NEXT REGULAR MEETING DATE: MARCH 13, 2007

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. The deadline for filing a timely Petition to Intervene was on February 12, 2007.

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

Maui Planning Commission Agenda
February 27, 2007
Page 6

SECOND WORKING DAY BEFORE THE MEETING TO INSURE THAT IT IS CIRCULATED TO THE BOARD.

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\012307.age)**