

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 12, 2008 (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: Johanna Amorin (Chair), Wayne Hedani (Vice-Chair), William Iaconetti, Bruce U'u, John Guard IV, Jonathan Starr, Kent Hiranaga, Joan Pawsat, Ward Mardfin

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 this time will not be allowed to testify again when the agenda item comes up before the Commission, unless new or additional information will be offered.

Testifiers: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, Conditional Permit, Type 3 Bed and Breakfast Permit require the approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office of Council Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawaii 96793.

A. CALL TO ORDER

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

1. GRAND KAHANA INVESTMENTS, LLC requesting a Conditional Permit for the Coldwell Banker Office, an office for timeshare, real estate, and activities sales and management in the Hotel District at Kahana Villas #6, 4242 Lower Honoapiilani Road, TMK: 4-3-010: 013-0106, Kahana, Lahaina, Island of Maui. (CP 2006/0009) (J. Dack)

The public hearing will be rescheduled to a later date as the applicant did not meet all of the notification requirements.

2. MS. LINDA GALLAGHER on behalf of CB LAANA, CHARLES BRENT & SUKUMA LUMJUAN requesting a Type 3 Bed and Breakfast Permit for the Spyglass Bed and Breakfast-Vacation Rental at 367 Hana Highway, TMK: 2-6-009: 017, Paia, Island of Maui. (CP 2006/0005) (SMX 2006/0141) (P. Fasi)

The public hearing will be scheduled to a later date as the applicants did not meet all of the notification requirements.

3. RDOB LIMITED PARTNERSHIP requesting a Special Management Area Use Permit in order to construct a single-family residence with attached ohana unit and attached garage at 3020 South Kihei Road, TMK: 3-9-004: 102, Kihei, Island of Maui. This will be a second, single-family residence on the same parcel. (SM1 2007/0008) (J. Buika)
 - a. Public Hearing
 - b. Action

C. COMMUNICATIONS

1. January 15, 2008 letter from JAMES GIROUX, Deputy Corporation Counsel requesting that the Maui Planning Commission clarify the language of its amendment on its action taken at the September 25, 2007 meeting regarding proposed amendments to Chapter 12-202 of the Maui Planning Commission's Special Management Area Rules regarding time extensions. (J. Alueta)

The Commission may take action to clarify the language of its approved amendment action taken at its September 25, 2007 meeting.

D. UNFINISHED BUSINESS

1. MR. JEFFREY HUNT, Planning Director requesting an Environmental Assessment Determination on the Final Environmental Assessment prepared in support of the Entitlements Action for Palauea Beach Lots located at TMK: 2-1-011: 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, and 023, Palauea, Kihei, Island of Maui. (EA 2006/0014) (C. Suyama) (Matter was previously scheduled to be heard at the January 22, 2008 meeting. Commissioners: Please bring your copy of the Final Environmental Assessment and Departmental Report with you.)

The Environmental Assessment trigger is the Planning Director initiated community plan amendment from Park to Single Family for parcels 013, 014,

015, 016, 017, 020, and 021. The accepting authority for the Environmental Assessment is the Maui Planning Commission.

The Commission may act to accept the Final Environmental Assessment as a Findings of No Significant Impact (FONSI) or take some other action.

The public hearing on the Community Plan Amendment and Change in Zoning will be scheduled for a future date after the Chapter 343 process has been completed.

2. a. HMC MAUI LLC requesting a Special Management Area Use Permit for the Hyatt Regency Maui Timeshare Project, a 12 story, 131 unit timeshare structure with related improvements on 36.57 acres located at TMK: 4-4-013: 003, 004, 005, & 006, Kaanapali, Lahaina, Island of Maui. (SM1 2006/0001) (J. Dack) (Public hearing conducted on December 11, 2007. This matter was scheduled to be heard again on January 8, 2008 meeting. Commissioners: Please bring your materials with you.)

The Commission may take action on the request.

- b. HMC MAUI LLC requesting an offsite parking approval for a 12 story, 131 unit timeshare structure with related improvements on 36.57 acres located at TMK: 4-4-013: 003, 004, 005 & 008, Kaanapali, Lahaina, Island of Maui. (OSP 2006/0007) (J. Dack) (The Commission reviewed this request on December 11, 2007. This matter was scheduled to be heard again at the January 8, 2008 meeting. Commissioners: Please bring your materials with you.)

The Commission may take action on this request.

- F. APPROVAL OF MINUTES AND ACTION MINUTES OF NOVEMBER 20, 2007, DECEMBER 4, 2007, DECEMBER 11, 2008 and DECEMBER 18, 2007 MEETINGS (Deferred from the February 22, 2008 meeting. Commissioners: Please bring minutes with you.)

APPROVAL OF THE MINUTES AND ACTION MINUTES OF THE NOVEMBER 27, 2007 and JANUARY 8, 2008 MEETINGS.

- G. DIRECTOR'S REPORT

1. Planning Department's Follow-Up Report on Matters raised by the Maui Planning Commission at the January 22 meeting.

2. Planning Commission Projects/Issues
3. Possible scheduling of special meeting(s) to reduce the current backlog of project applications ready to go to the Commission.

The Commission may take action to schedule special meeting (s).

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

H. NEXT REGULAR MEETING DATE: February 26, 2008

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 the filing of a timely Petition to Intervene was on January 29, 2008 for the first public hearing date on February 12, 2008.

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.

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\021208.agenda)