

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

## AGENDA

DATE: March 13, 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, Kent Hiranaga

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. BRE/WAILEA, LLC requesting a Step 1 Planned Development Approval, a Step 2 Planned Development Approval, and a Special Management Area Use Permit for the Wailea Marriott Resort Renovations and Upgrades project on 21.89 acres of land at TMK: 2-1-008: 061 & 076, Wailea, Kihei, Island of Maui. (PD1 2005/0001) (PD2 2005/0001) (SM1 2005/0008) (T. Abbott) (The public hearing was held in September 2005.) **(The matter was deferred at the February 13, 2007 meeting.) (Commissioners: Please bring your report/documents with you.)**
  - a. Intervention by MR. DAVID NAKAMURA, attorney for LAI HONUUA LLC and the ASSOCIATION OF APARTMENT OWNERS OF THE WAILEA BEACH VILLAS in the proceedings for the above-mentioned permit requests. Intervention was granted by the Maui Planning Commission at its October 25, 2005 meeting.)
  - b. Settlement Agreement presented in January 2007 between the applicant BRE/WAILEA LLC and the Intervenors LAI HONUUA LLC and the ASSOCIATION OF APARTMENT OWNERS OF THE WAILEA BEACH VILLAS.

The Commission may take action on the Step 1 Planned Development Approval, the Step 2 Planned Development Approval, and the Special Management Area Use Permit requests.

C. NEW BUSINESS

1. MR. JEFFREY HUNT, Planning Director requesting comments on the Draft 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) **(Copies of the draft EA were circulated to the Maui Planning Commission members at the February 27th meeting.)**

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 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 and Change in Zoning 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

2. MR. JAMES H. SCHLOEMER requesting comments on the Draft Environmental Assessment prepared in support of the Shoreline Setback Variance application for the proposed Schloemer Residence at 4410 Makena Road, TMK: 2-1-011: 028, Makena, Island of Maui. (EA 2006/0018) (SSV 2006/0005) (T. Abbott)

The Environmental Assessment trigger is the planned work within the shoreline setback area. The accepting authority for the Environmental Assessment is the Maui Planning Commission.

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 Shoreline Setback Variance 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

#### D. COMMUNICATIONS

1. MAUI BEACH RESORT LIMITED PARTNERSHIP submitting their annual report on the disbursement of the funds in the Settlement Agreement between the developer and the WEST MAUI PRESERVATION ASSOCIATION, INC., Intervenor, as called for in Condition No. 32 of the Special Management Area Use Permit approval for the proposed Honua Kai Resort, North Beach Park, and related improvements at TMK: 4-4-014: 006 and 008 and 4-4-001: 010, Kaanapali, Lahaina, Island of Maui. (SM1 2004/0017) (PD2 2004/0005) (C. Suyama)

Condition No. 32 of the subject SMA approval states:

“That an annual report shall be filed with the Maui Planning Commission on the disbursement of the funds in the Settlement Agreements for their information.”

The Commission may review the annual report.

2. MAUI BEACH RESORT LIMITED PARTNERSHIP submitting their annual report on the disbursement of the funds in the Settlement Agreement between the developer and the CHARLES D. FOX III, Intervenor, as called for in Condition No. 32 of the Special Management Area Use Permit approval for the proposed Honua Kai Resort, North Beach Park, and related improvements at TMK: 4-4-014: 006 and 008 and 4-4-001: 010, Kaanapali, Lahaina, Island of Maui. (SM1 2004/0017) (PD2 2004/0005) (C. Suyama)

Condition No. 32 of the subject SMA approval states:

“That an annual report shall be filed with the Maui Planning Commission on the disbursement of the funds in the Settlement Agreements for their information.”

The Commission may review the annual report.

3. INTRAWEST requesting a Step 3 Planned Development Approval for the Hokulani (South) and Konea (North) Enclaves at the Honua Kai Project on Lot 4, Kaanapali North Beach Subdivision, TMK: 4-4-014: 006 and 008 and 4-4-001:010, Kaanapali, Island of Maui. (PD3 2006/0003) (C. Suyama)

The Commission may take action on this request.

4. MR. DON FREEMAN of THE JOSLIN GROUP on behalf of WDI HAWAII, INC. to obtain an Off-Site Parking Approval for 20 parking stalls located at the existing paved parking lot of the Lahaina Restoration Building located at 656 Front Street, TMK: 4-6-008: 007, Lahaina, Island of Maui in order to meet the required parking for the new Tony Roma's Restaurant located inside the Kishi Building at 736 Front Street, TMK: 4-6-009: 057, Lahaina, Island of Maui. (OSP 2006/0003) (D. Dias)

The Commission may take action on this request.

#### E. DIRECTOR'S REPORT

1. Planning Commission Projects/Issues
2. Status of the Kahoolawe Site Inspection
3. Planning Department's Follow-Up Report on Matters raised by the Maui Planning Commission on the February 27, 2007 Director's Report
4. EA/EIS Report
5. SMA Minor Permit Report
6. SMA Exemptions Report

#### F. NEXT REGULAR MEETING DATE: MARCH 27, 2007

#### 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. The deadline for filing a timely Petition to Intervene was on February 27, 2007.

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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\031307.2age)**