

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

## AGENDA

DATE: April 22, 2008 (Tuesday)  
TIME: 8:30 A.M.  
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Wayne Hedani (Vice-Chair), William Iaconetti, Bruce U'u, John Guard IV, Jonathan Starr, Kent Hiranaga, Joan Pawsat, Ward Mardfin, Donna Domingo

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. ELECTION OF OFFICERS FOR 2008-2009 YEAR - CHAIRPERSON AND VICE-CHAIRPERSON

C. UNFINISHED BUSINESS

1. WAILEA GATEWAY, LLC requesting a Step III Planned Development Approval for the Wailea Gateway Center and related improvements at TMK: 2-1-008: 144 (por.), Wailea, Island of Maui. (PD3 2007/0003) (P. Fasi) (Deferred at the April 8, 2008 meeting.)

The Commission may take action on the request.

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

1. MR. JEFFREY S. HUNT, Planning Director transmitting Council Resolution No. 08-05 containing A Draft Bill to Authorize Home Occupations in Various Zoning Districts to the Lanai, Maui, and Molokai Planning Commissions. (J. Alueta)

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- a. Public Hearing
  - b. Action

2. PASTOR LARRY ELIES of LAHAINA CHRISTIAN FELLOWSHIP requesting a time extension of a Land Use Commission Special Use Permit for the Lahaina Christian Fellowship Sanctuary located on approximately 2.28 acres of land in the State Agricultural District at TMK: 4-3-010: 031, Kahana, Island of Maui. (SUP2 950005) (S. Bosco)

- a. Public Hearing
- b. Action

3. MR. JEFFREY S. HUNT, Planning Director transmitting A Bill for an Ordinance Repealing Chapter 19.02 of the Maui County Code and adding Chapter 19.02A regarding Interim Zoning Districts. (J. Alueta)

- a. Public Hearing
- b. Action

4. MR. JEFFREY S. HUNT, Planning Director transmitting A Bill for an Ordinance to modify and add definitions found in Chapter 19.04 of the Maui County Code. Definitions to be modified are: "basement," "building," "court," "apartment court," and "height." Definitions to be added are: "areaway" and "habitable room." (J. Alueta)

- a. Public Hearing
- b. Action

#### E. NEW BUSINESS

1. MR. JEFFREY HUNT, Planning Director requesting an Environmental Assessment Determination on the Final Environmental Assessment prepared in support of the Pali (Papalaua Park) to Puamana Project at TMK: 4-7-001 (various), 4-8-002 (various), and 4-8-003 (various), Lahaina District, Island of Maui. (EA 2006/0020) (J. Hunt and K. Aoki) **(Draft EA was reviewed by the Maui Planning Commission on April 24, 2007.)**

As stated in the Draft Environmental Assessment, the EA triggers are for the use of County and State lands and County and/or State funds. A Community Plan Amendment is also contemplated as noted in the Draft Environmental Assessment. The accepting authority for the Environmental Assessment is the Maui Planning Commission.

The Commission may take action to issue a Findings of No Significant Impact (FONSI) or take some other action.

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

2. NONA LANI, LLC requesting comments on the Draft Environmental Assessment prepared in support of the Community Plan Amendment application from Multi-family to Hotel for the existing Nona Lani Cottages located at 455 South Kihei Road, TMK: 3-9-041: 001, Kihei, Island of Maui. (EA 2006/0002) (CPA 2006/0001) (CIZ 2006/0001) **(J. Dack) (Draft EAs circulated at the April 8, 2008 meeting.)**

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 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

3. J. ROBERT BREWER requesting comments on the Draft Environmental Assessment prepared in support of the proposed demolition of a one-story single family residential structure constructed in 1951 and its replacement with a two-story residence located in the National Historic Landmark District at 459 Front Street, TMK: 4-6-002: 017, Lahaina, Island of Maui. (EA 2007/0010) (SMX 2007/0306)(J. Prutch)

The EA trigger is the location of the property within the Lahaina National Historic Landmark District. 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 review of the Special Management Area Assessment will be conducted at a future date after the Chapter 343 process has been completed.

The Commission may act on the requests.

#### F. DIRECTOR'S REPORT

1. Planning Department's Follow-Up Report on Matters raised by the Maui Planning Commission at the April 8 meeting.
2. Planning Commission Projects/Issues
3. 2008 Hawaii Congress of Planning Officials (HCPO) Conference - September 10-12, 2008, Grand Wailea Hotel, Wailea, Island of Maui.
4. EA/EIS Report
5. SMA Minor Permit Report
6. SMA Exemptions Report

G. NEXT REGULAR MEETING DATE: May 13, 2008

#### H. 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 April 8, 2008 for the first public hearing date on April 22, 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

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(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\042208.agenda)