

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

AGENDA

DATE: June 10, 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: Jonathan Starr (Chair), John Guard IV (Vice-Chair), William Iaconetti, Wayne Hedani, Bruce U'u, 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. PUBLIC HEARING (Action to be taken after public hearing.)

1. ROYAL MAIN PROPERTIES, LLC requesting a State Land Use District Boundary Amendment from the State Agriculture District to the State Urban District and a Change in Zoning from County Agriculture District to R-1 Residential District for the Kaiwahine Subdivision, a 47-lot single family residential subdivision on approximately 9.28 acres of land at TMK: 3-8-004: 028, Kihei, Island of Maui. (DBA 2007/0002) (CIZ 2007/0002) (R. Loudermilk)

- a. Public Hearing
- b. Action

2. MR. JOSH STONE requesting a Special Management Area Use Permit for the proposed Paia Commercial Building, a 5,400 square-foot commercial building and related improvements located at 151 Hana Highway, TMK: 2-6-004: 011, Paia, Island of Maui. (SM1 2007/0004) (D. Dias)
 - a. Public Hearing
 - b. Action

3. WILLEM and MARIS VAN DER LEE requesting a zoning change from the Interim District to the R-3 Residential District for a 3-lot subdivision at 898 Pakele Street, TMK: 3-3-001: 027, Wailuku, Island of Maui. (CIZ 2007/0003) (P. Fasi)
 - a. Public Hearing
 - b. Action

C. NEW BUSINESS

1. MR. SANDY BAZ of MAUI ECONOMIC OPPORTUNITY, INC. requesting comments on the Draft Environmental Assessment prepared in support of the Community Plan Amendment to Light Industrial for the MEO Transportation Center on 10.041 acres at TMK: 3-8-006: por. of 004, Kahului, Island of Maui. (EA 2008/0003) (CPA 2008/0001) (DBA 2008/0001) (CIZ 2008/0001) (A. Cua) (Draft EAs distributed at the May 27, 2008 meeting. Commissioners: Please bring your copies 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, District Boundary 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. CHRIS HART & PARTNERS, INC., on behalf of DORIS TODD MEMORIAL CHRISTIAN DAY SCHOOL requesting comments on the Draft Environmental Assessment prepared in support of the Community Plan Amendment to Public/Quasi-Public for the implementation of the schools long range plan for facility development at 519 Baldwin Avenue, TMK: 2-5-005: 020, 044 and 052, Paia, Island of Maui. (EA 2007/0001) (CPA 2006/0008) (DBA 2005/0004)) (CIZ 2005/0007). (R. Loudermilk) (Draft EAs distributed at the March 2008 meeting. Commissioners: Please bring your copies 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, District Boundary 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.

D. COMMUNICATIONS

1. MR. RYAN CHURCHILL of MAUI LAND & PINEAPPLE COMPANY, INC. requesting a Step 3 Planned Development Approval for the Kapalua 6-0 Project, 42 workforce housing units with a community center, three new light industrial buildings, improvement of the golf maintenance building and additional golf storage buildings; parking; landscaping; and other related improvements at TMK: 2-4-004:024, Kapalua, Island of Maui. (PD3 2008/0001) (J. Prutch)

The Commission may take action on the request.

2. Corporation Counsel's discussion on Professor John Van Dyke's Memorandum on the Sunshine Law, Chapter 92, Hawaii Revised Statutes (J. Giroux) (Deferred from the May 27, 2008 meeting)

E. MINUTES AND ACTION MINUTES OF THE APRIL 8, 2008 MEETING

F. DIRECTOR'S REPORT

1. Planning Director notifying the Maui Planning Commission pursuant to Section 12-202-17(e) of the Maui Planning Commission's of his intent to issue a time extension on the following requests:

- a. SUNSTONE KEOKEA, LLC requesting a 2-year Special Management Area Use Permit time extension on the period to initiate construction of the Liloa Village Subdivision at TMK: 3-9-002: 116, 150, and 151, Kihei, Island of Maui. (SM1 2004/0010) (L. Callentine)

The Commission shall acknowledge receipt of the request. The Commission may review the permit time extension request or waive review of the request. (Deferred from the May 27, 2008 meeting)

- b. BETSILL BROTHERS CONSTRUCTION, INC. requesting a 2-year Special Use Permit time extension on the period to complete construction of the Kalama Heights Phase II project, a 36-unit senior multi-family residential project with related on and offsite infrastructure improvements at 101 Kanani Road, Kihei, Island of Maui. (SM1 970012) (P. Fasi)

The Commission shall acknowledge receipt of the request. The Commission may review the permit time extension request or waive review of the request. (Deferred from the May 27, 2008 meeting)

2. Planning Director requesting that the Hana Advisory Committee be allowed to comment on the proposed Service Business District (SBR) District Bill as several SBR designated properties in the community plan are located in Hana Town. The public hearing by the Maui Planning Commission is scheduled for June 24, 2008.

The Commission may decide to seek comments from the Hana Advisory Committee prior to the June 24 Maui Planning Commission public hearing. (Deferred from the May 27, 2008 meeting)

3. Registration for 2008 HCPO Conference - Sept. 10-12, Grand Wailea Hotel. (Deferred from the May 27, 2008 meeting)

4. Planning Department's Follow-Up Report on Matters raised by the Maui Planning Commission at the May 13, 2008 meeting (Deferred from the May 27, 2008 meeting)

5. Planning Department's Follow-Up Report on Matters raised by the Maui Planning Commission at the May 27, 2008 meeting.
6. Planning Commission Projects/Issues
7. EA/EIS Report (Deferred from the May 27, 2008 meeting)
EA/EIS Report
8. SMA Minor Permit Report (Deferred from the May 27, 2008 meeting)
SMA Minor Permit Report
9. SMA Exemptions Report (Deferred from the May 27, 2008 meeting)
SMA Exemptions Report

G. NEXT REGULAR MEETING DATE: June 24, 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 on the public hearing item was on May 27, 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.

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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\061008.agenda)