

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

AGENDA

DATE: July 10, 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: Johanna Amorin (Chair), Wayne Hedani (Vice-Chair), William Iaconetti, Bruce U'u, John Guard IV, Jonathan Starr, Kent Hiranaga, Joan Pawsat

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.)

1. MR. LLOYD SUEDA of SUEDA & ASSOCIATES requesting a Phase 2 Project District Approval for the proposed Maui Lani Shopping Center, a neighborhood shopping center consisting of restaurant, retail offices, gas pumps, approximately 720 parking spaces, landscaping, and related improvements at TMK: 3-8-007: 121, Wailuku, Island of Maui. (PH2 2005/0007) (A. Cua)
 - a. Public Hearing
 - b. Action
2. LIPOA STREET PARTNERS, LLC requesting a Special Management Area Use Permit for the PACIFIC PLAZA PROJECT, a two-story commercial office and retail complex including 40,385 sq. ft. of office and 3,380 sq. ft. of retail,

landscape planting, on-site parking, and associated infrastructure at 99 E. Lipoa Street, TMK: 3-9-002: 215, Kihei, Island of Maui. (SM1 2006/0041) (T. Abbott)

- a. Public Hearing
 - b. Action
3. MR. RON SERLE requesting a State Land Use District Boundary Reclassification from the State Agricultural District to the State Rural District and a Change in Zoning from Interim District to RU-0.5 Rural District for the Serle Subdivision on approximately 5.258 acres of land at TMK: 2-7-002: 156 (formerly a portion of TMK: 2-7-002: 043), Haiku, Island of Maui. (DBA 2006/0002) (CIZ 2006/0005) (J. Dack)
- a. Public Hearing
 - b. Action

C. NEW BUSINESS

1. MR. ALLEN DUARTE and MR. JOSEPH G. DUARTE requesting an Environmental Assessment determination on the Final Environmental Assessment (FEA) prepared in support of the Community Plan Amendment from Rural to Single Family Residential for the Duarte Family Subdivision at 411 and 425 Iao Valley Road, TMK: 3-5-003: 005 and 006, Wailuku, Island of Maui. (EA 2006/0010) (CPA 2006/0003) (DBA 2006/0001) (CIZ 2006/0004) (R. Loudermilk) **(Final EA circulated at the June 26, 2007 meeting. Commissioners: Please bring your final EA with you.)**

The applicant may be subdividing TMK: 3-5-003: 005 into two lots at a later time.

The EA trigger is the Community Plan Amendment.

The Commission may act to make a Findings of No Significant Impact (FONSI) determination on the FEA.

The applicants have also been submitted requests for a State Land Use District Boundary Amendment from the State Rural District to the State Urban District and Change in Zoning from the County Agricultural District to the R-3 Residential District. The public hearing on the Community Plan Amendment, the State Land Use District Boundary Amendment, and Change in Zoning requests will be scheduled for a later date after the Chapter 343 process has been completed.

D. COMMUNICATIONS

1. MR. JEFF HUNT, Planning Director, presenting a schedule for the Maui Planning Commission's Review of the Countywide Policy Plan.

The Commission may act to have to have specified meetings scheduled during the evening and/or on a non-regular meeting day.

2. MR. JEFF HUNT, Planning Director, presenting the following Special Management Area Emergency Permit for review pursuant to the provisions of Section 12-202-16(f) of the Maui Planning Commission's Special Management Area Rules:

HOLOLANI AOAO being issued a Special Management Area Emergency Permit and Shoreline Setback Approval by letter dated June 22, 2007 for temporary shoreline hardening at the Hololani Condominium, 4401 Lower Honoapiilani Road, TMK: 4-3-010: 009, Kahana, Island of Maui. (SM3 2007/0001) (SSA2007/0018) (T. Abbott)

- E. MINUTES OF THE APRIL 10, 2007, MAY 8, 2007 and MAY 22, 2007 MEETINGS **(Deferred from the June 26, 2007 meeting. Commissioners: Please bring minutes with you.)**

MINUTES OF THE APRIL 16, 2006 SPECIAL MEETING

F. DIRECTOR'S REPORT

1. Notification of the transfer of the following Special Management Area Use Permit pursuant to Section 12-202-17(d) of the Maui Planning Commission's Special Management Area Rules:

Transfer by letter dated June 21, 2007 from AGOURA REALTY. INC. to A&B PROPERTIES, INC. dba A&B KANE LLC of the Special Management Area Use Permit for the Kane Street Commercial Mixed Use Development and Related Improvements at TMK: 3-7-005: 003, 011, and 023, Kahului, Island of Maui. (SM1 2005/0004) (J. Buika)

The Commission may acknowledge receipt of the notification of permit transfer.

2. Planning Commission Projects/Issues
3. Planning Department's Follow-Up Report on Matters raised by the Maui Planning Commission at the June 12 and 26, 2007 meetings.

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4. EA/EIS Report
5. SMA Minor Permit Report circulated with the June 26, 2007 agenda
6. SMA Minor Permit Report
7. SMA Exemptions Report circulated with the June 26, 2007 agenda
8. SMA Exemptions Report
9. July 24, 2007 - Special Meeting at 6:30 p.m., Kihei Community Center on the South Maui Regional Park Phase 2 Project District and the Special Management Area Use Permit applications

G. NEXT REGULAR MEETING DATE: July 24, 2007

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 filing a timely Petition to Intervene was on June 25, 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 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\062607.age)