

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

AGENDA

DATE: January 23, 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

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. NEW BUSINESS

1. A & B PROPERTIES, INC. requesting an Environmental Assessment Determination on the Final Environmental Assessment (FEA) prepared in support of its Special Management Area Use Permit application for the proposed Kahului Town Center Redevelopment project (primarily the Kahului Shopping Center site) located at TMK: 3-7-007: 005, 008, 009, 010, 027, & 050, Kahului, Island of Maui. (EA 2006/0008) (SM1 2006/0010) (A. Cua) (The draft EA was reviewed at the September 12, 2006 meeting.)

The proposed action involves the redevelopment of the existing Kahului Shopping Center into a mixed-use commercial/residential development, including retail, office, and other commercial spaces, 442 multi-family residential units, and related off-site and on-site improvements.

The proposed action does involve the use of State or County lands.

The Planning Commission may act to accept the Final EA as a Findings of No Significant Impact (FONSI), request more information, or require the preparation of an Environmental Impact Statement (EIS) based on the Hawaii Administrative Rules, Title 11, Department of Health, Chapter 200 regarding Environmental Assessments and Environmental Impact Statements.

The public hearing on the Special Management Area Use Permit will be scheduled for a future date after the Chapter 343, HRS process has been completed.

2. ELLEAIR HAWAII, INC. requesting comments on the Draft Environmental Assessment prepared in support of the Shoreline Setback Variance application for the Proposed Demolition of the Remaining Maui Palms Hotel Structure of the Former Maui Palms Hotel, a small portion of which falls within the shoreline setback area at TMK: 3-7-003: 007 and 009, Kahului, Island of Maui. (EA 2006/0013) (SSV 2006/0006) (T. Abbott) (The draft EA was circulated to the Maui Planning Commission at its January 9, 2007 meeting.)

The EA trigger is the work within the Shoreline Setback area. The SMA Permit for the Maui Palms Redevelopment Project was previously approved by the Maui Planning Commission. 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 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.

3. MAUI LAND & PINEAPPLE, INC. requesting an Environmental Assessment Determination on the Final Environmental Assessment prepared in support of the Special Management Area Use Permit for the Kapalua Coastal Trail stretching some 3.5 miles from Lower Honoapiilani Road to Honolua Bay at Kapalua, Island of Maui. (EA 2006/0019) (SM1 2006/0026) (T. Abbott)

The EA trigger is the use in part of State or County lands or funds. 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 Special Management Area Use Permit 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.

C. COMMUNICATIONS

1. MR. ELTON WONG, Project Manager of the KOBAYASHI GROUP, LLC requesting a Step 3 Planned Development Approval the proposed redevelopment of the Wailea Renaissance Hotel into the Wailea Beach Resort and Residences , a condominium/hotel and related improvements consisting of the demolition of the existing structures, the development of 193 condominium units (for sale with hotel amenities) on property and related infrastructure and landscape improvements at 3350 Wailea Alanui Drive, TMK: 2-1-008: 067, Wailea, Island of Maui and various improvements at the adjacent Ulua/Mokapu Beach Park parking area including resurfacing and landscaping at TMK: 2-1-008: 088, Wailea, Island of Maui. (PD3 2006/0002) (A. Cua) (The SMA Use Permit and Step 2 Planned Development approvals were granted at Commission's July 11, 2006 meeting.)

The Commission may take action on the request.

2. DR. ROGER KEHLER, requesting a 5-year time extension on the Conditional Permit in order to continue to operate the Kihei Veterinary Office in the R-3 Residential District at TMK: 3-9-010: 076, Kihei, Island of Maui. (CP 910006) (J. Dack)

The Commission may act to make a recommendation to the Maui County Council on this request.

3. MS. VALERIE LEWIS OKAMURA requesting a 5-year time extension on the Conditional Permit to continue to operate the Maui by the Sea Transient Vacation Rental in the R-1 Residential District at TMK: 2-6-009: 008, Paia, Island of Maui. (CP 2001/0018) (R. Loudermilk)

The Commission may act to make a recommendation to the Maui County Council on this request.

4. MR. MILTON ARAKAWA, AICP, Director, DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL MANAGEMENT requesting a 2-year time extension on the Special Management Area Use Permit and Shoreline Setback Variance condition regarding the initiation of construction of the Lahaina Watershed Flood Diversion System project located at TMK: 4-7-001: 002(por.) and 018 (por.), and 4-7-002: 004 (por.) , Lahaina, Island of Maui. (SM1 2003/0005) (SSV 2003/0001) (P. Fasi)

The Commission may take action on the request.

D. MINUTES OF THE DECEMBER 12, 2006 MEETING

E. DIRECTOR'S REPORT

1. Planning Commission Projects/Issues
 - a. Commissioners Starr and Uu reporting on their meeting with the Long Range Division, Department of Planning, regarding Geographic Information Systems (GIS)
2. Status of the Kahoolawe Site Inspection
3. EA/EIS Report
4. SMA Minor Permit Report
5. SMA Exemptions Report

F. NEXT REGULAR MEETING DATE: FEBRUARY 13, 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

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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 January 9, 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\012307.age)