

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 22, 2008 (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, Ward Mardfin

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 item.)

1. MR. ROBERT SUTOR of TAM YAU ESTATES, LLC requesting a State Land Use District Boundary Amendment from the State Agricultural District to the State Urban District for the Tam Yau Estates Subdivision, a 16-lot subdivision on approximately 4.659 acres of land on Makani Road at TMK: 2-3-043: 051, Pukalani, Island of Maui. (DBA 2006/0006) (R. Loudermilk)

- a. Public Hearing
- b. Action

2. MR. JORDAN CANHA requesting the following land use changes for the Canha Family Subdivision at 2810 Kokomo Road, TMK: 2-7-001: 024, Makawao, Island of Maui (DBA 2007/0003) (CIZ 2007/0005)(J. Prutch)
 - a) State Land Use District Boundary Reclassification from the State Agricultural District to the State Rural District for 1.591 acres of parcel 24; and
 - b) Zoning Change from Interim District to Rural RU0.5 District for 1.591 acres of parcel 24.
 - a. Public Hearing
 - b. Action

C. UNFINISHED BUSINESS

1. SVO PACIFIC, INC. requesting a Special Management Area Use Permit for the proposed Westin Kaanapali Ocean Resort Lot 3 Project consisting of the construction of 390 timeshare units and related parking and amenity improvements at 45 Kai Malina Parkway, TMK: 4-4-014: por. of 005, Kaanapali, Island of Maui. (SM1 2006/0018) (P. Fasi) (Public hearing conducted on October 23, 2007 and further discussed on November 27, 2007 and December 11, 2007)
 - a. SVO PACIFIC, INC. requesting clarification as to whether the proposed traffic mitigation measures qualify as “other mitigative measures” pursuant to Condition No. 7 of the 1988 Special Management Area Use Permit and Shoreline Setback Variance for the North Beach Subdivision and Condition No. cc of the 1997 Special Management Area Use Permit for the Kaanapali Ocean Resort, Kaanapali, Lahaina, Island of Maui. (88/SM1-023) (88/SSV-002) (SM1 970006) (P. Fasi) (Previously reviewed on October 23, 2007 and November 27, 2007.)

The Commission may take action on this matter.

- b. Action on Special Management Area Use Permit for the Westin Kaanapali Ocean Resort Lot 3 Project. (Previously reviewed on October 23, 2007 and November 27, 2007.)

The Commission may take action on this matter.

D. NEW BUSINESS

1. MR. JEFFREY HUNT, Planning Director requesting an Environmental Assessment Determination on the Final 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. Yoshida)

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 Commission may act to accept the Final Environmental Assessment as a Findings of No Significant Impact (FONSI) or take some other action.

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.

E. APPROVAL OF MINUTES AND ACTION MINUTES OF NOVEMBER 20, 2007, DECEMBER 4, 2007, DECEMBER 11, 2008 and DECEMBER 18, 2007 MEETINGS

F. DIRECTOR'S REPORT

1. Planning Department's Follow-Up Report on Matters raised by the Maui Planning Commission at the January 8 meeting.
2. Planning Commission Projects/Issues
3. EA/EIS Report
4. SMA Minor Permit Report
5. SMA Exemptions Report

G. NEXT REGULAR MEETING DATE: February 12, 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

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ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793.

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\012208.agenda)