

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 24, 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. NEW BUSINESS

1. KULAMALU, LLC requesting comments on the Draft Environmental Assessment prepared in support of the proposed land use entitlements revisions for the Kulamalu Project at TMK: 2-3-066: 021, 044, and 018, Kula, Island of Maui. (EA 2007/0008) (A. Cua)

The EA trigger is the Community Plan Amendment.

TMK: 2-3-066: 021 (4.96 acres) is developed with an existing parking lot and is designated parking lot and is currently designated "Park" on the Community Plan. The Community Plan designation is proposed to be changed to "Business/ Commercial" to accommodate a new 810 sq. ft. mail service building and commercial parking for the Kulamalu Town Center project.

The second parcel, TMK: 2-3-066: 044, is proposed to be redesignated from "Single Family" to "Open Space" in the Makawao-Pukalani -Kula Community Plan. This lot will serve as a permanent drainage retention basin and open Space area.

The third parcel, TMK 2-3-066: 018 (por.), involves four (4) landscape easements totaling 31, 275 square feet. The Community Plan designation for these four (4) landscape easements is proposed to be changed from "Open Space" to "Single Family." The land use change will provide owners of four (4) single-family lots adjacent to the easements with greater flexibility in residential site planning and design.

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.

## C. COMMUNICATIONS

1. MR. BURT T. LAU for KOBAYASHI SUGITA & GODA, attorney for HONUUA LLC requesting transfer of the following Special Management Area Use Permits from MAKENA RESORT CORP. to HONUUA LLC: (A. Cua)
  - a. Special Management Area Permit dated November 21, 1990 (86/SMA-010) to construct improvements to the Makena-Keoneoio Road including two (2) permanent cul-de-sacs and related road widening, public beach access, and 40 parking stalls, walkways, rock walls, public comfort station, beach activities shelter, landscaped planting and related improvements at Makena.
  - b. Special Management Area Permit dated April 23, 2003 (SM1 2002/0028) for Makena Golf Course Maintenance Wash Pad as extended by Special Management Area Permit Time Extension Request and approval dated March 30, 2006 (SM1 2002/0028) for Makena Golf Course Maintenance Wash pad.

- c. Special Management Area Permit dated January 9, 2002 (SM1 2001/0013) for Makena Alanui Roadway Improvement Project, as extended by the application and approval to amend Condition No. 1 of SMA Use Permit for Makena Alanui Roadway Improvements dated December 14, 2005 (SM1 2001/0013)
- d. Special Management Area Permit dated November 20, 1991 (91/SM1-20) for filling, grading, and construction of two (2) retaining walls. All work has been completed under this permit.
- e. Special Management Area Permit dated April 21, 1994 (93/SM1-36) for the Maui Prince Hotel Banquet Facility and related improvements. All work has been completed under this permit.
- f. Special Management Area Permit dated November 13, 1998 (SM1/98-0013) for Makena Roadway and utility improvements. All work has been completed under this permit.

The Commission may take action to approve of the transfer requests.

2. AMERON HAWAII, INC. requesting the following:

- a. A ten(10) year time extension on the Land Use Commission Special Use Permit in order to continue to operate a rock quarry operation in the State Agricultural District at TMK: 3-8-003: portion of 004 and portion of 021, Puunene, Island of Maui. (SP77-271) (P. Fasi)

The Commission may take action to recommend approval of the time extension request to the State Land Use Commission

- b. a 10-year time extension to Condition No. 1 of a County Special Use Permit for the operation of a cement quarry on property located within the County Agricultural District at TMK: 3-8-003: 004 & portion of 021, Puunene, Island of Maui. (CUP 2001/0001) (D. Dias)

The Commission may take action on the request.

3. MR. MARK CHRISTIANO requesting a Special Accessory Use Approval in order to operate the Kihei Charter School - STEM- Middle School at the Kihei R&T Park pursuant to Section 19.33.030.G of the Maui Code, TMK: 2-2- 024: 002 (por.), Kihei, Island of Maui. (ACC 2007/0001) (L. Callentine)

The Commission may take action on the request.

4. MAUI RESEARCH AND TECHNOLOGY PARK (MRTP) DEVELOPMENT PARTNERS requesting approval of the proposed list to uses as specified in their letter dated July 10, 2007 as support facilities and services under the provisions of Section 19.33.030G of the Maui County Code at Kihei, Island of Maui. (P. Fasi)

The Commission may take action on the request.

- D. Workshop on the Countywide Policy Plan conducted by the Long Range Planning Division

E. DIRECTOR'S REPORT

1. Notification of the transfer of the following Special Management Area Use Permits pursuant to Section 12-202-17(d) of the Maui Planning Commission's Special Management Area Rules:
  - a. Special Management Area Use Permit for the Kai Ani Village Multi Family Residential Project, TMK: 3-9-002:091 and 134 (SM1 2005/0019). The transfer is from FPA Kihei Group, LLC to Kai Ani Village, LLC
  - b. Special Management area Use Permit dated December 1, 1989, for the addition of an 18-hole golf course with snack shop/restroom facilities and new cart storage building and parking, TMK: 2-1-005:108 and 2-1-008:090 (89/SM1-35. The transfer is from Makena Resort Corp. to Honua, LLC

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

2. Planning Commission Projects/Issues
3. Planning Department's Follow-Up Report on Matters raised by the Maui Planning Commission at the July 10, 2007 meeting.
4. EA/EIS Report
5. SMA Minor Permit Report
6. SMA Exemptions Report
7. Special meeting on July 24, 2007 on the South Maui Regional Park SM1 and PH2, 6:30 p.m., Kihei Community Center

F. NEXT REGULAR MEETING DATE: August 14, 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 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 July 10, 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\072407.age)