

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

AGENDA

DATE: December 12, 2006 (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), Diane Shepherd (Vice-Chair), Suzanne Freitas,
Patricia Eason, Johanna Amorin, William Iaconetti, Bruce U'u, John Guard
IV, Jonathan Starr

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. PUBLIC HEARINGS (Action to be taken after each public hearing item.)

1. MR. GLENN CORREA, Director, DEPARTMENT OF PARKS AND RECREATION requesting a State Land Use Commission Special Use Permit and a Conditional Permit for the West Maui Boys and Girls Club Expansion and related improvements on approximately 2 acres of land in the State and County Agricultural Districts at 280 Shaw Street, TMK: 4-6-012: 005 (portion), Lahaina, Island of Maui. (SUP2 2006/0004) (CP 2006/0011) (J. Hunt)
 - a. Public Hearing
 - b. Action
2. VANGUARD CAR RENTAL USA, INC. requesting a Special Management Area Use Permit for the following:
 - a. The relocation of the National Car Rental operation to TMK: 3-8-001: 097 and 124 and demolish the existing National Car Rental facility on TMK: 3-8-001: 159, Kahului Airport, Island of Maui. A new 1,440 square foot lobby/office building, fueling station and car wash are proposed on Parcels 97 and 124 to serve as the new National Rental Car facility. Landscaping improvements are proposed for Parcels 97 and 124.

- b. Improvements for the Alamo Rent A Car facility on Parcels 158 and 159 including the addition of a second car wash facility and fuel islands as well as a new maintenance facility to serve both the National and Alamo Car rental operations at TMK: 3-8-001: 158 and 159. The new maintenance building will be approximately 6,104 square feet in size and include eight (8) maintenance bays, office space, a locker room, and employee restroom facilities. The Alamo Rent A Car project site will also include a reconfiguration of the project site. Minor landscaping improvements are also proposed. (SM1 2005/0032) (J. Dack)
 - a. Public Hearing
 - b. Action
- 3. MS. MARY OMWAKE of the UNITY CHURCH OF MAUI requesting a County Special Use Permit in order to operate a church in the Residential District at 483 High Street, TMK: 3-5-009: 007, Wailuku, Island of Maui. (CUP 2005/0009) (L. Callentine)
 - a. Public Hearing
 - b. Action
- 4. GOODFELLOW BROTHERS, INC. requesting a Conditional Permit for the Kihei Rock Crushing Facility in order to continue to operate rock crushing and related activities on approximately 14.5 acres of land in the County Agricultural District at TMK: 2-2-002: 054 and 069, Kihei, Island of Maui. (CP 2006/0010) (P. Fasi)
 - a. Public Hearing
 - b. Action

C. NEW BUSINESS

- 1. MUNEKIYO & HIRAGA, INC. on behalf of the COUNTY OF MAUI requesting an Environmental Assessment Determination on the Final Environmental Assessment prepared in support of the proposed Community Plan Amendment (Nunes Land Exchange) for property located at TMK: 4-4-001:010 and 4-4-014: 008, Kaanapali, Lahaina, Island of Maui. (EA 2004/0014) (C. Suyama) (Draft EA reviewed at the February 28, 2006 meeting.)

The environmental assessment trigger is the Community Plan Amendment.

The proposed action involves a property boundary reconfiguration to develop a contiguous public park area by Maui Beach Resorts on TMK: 4-4-014: 008, as well as providing road frontage and site access for the owner of TMK: 4-4-001: 010. Charles Nunes, which is currently landlocked. The existing Nunes property (1.5 acres) is designated "Business" in the West Maui Community Plan. The community plan amendment would shift the Business designation to lands fronting Lower Honoapiilani Road. The land area remaining after the shift would be designated for Park use. The proposed community plan amendment would not result in a substantial net loss or either park or business designated lands.

The proposed action requires a Community Plan Amendment, Change in Zoning, and a Special Management Area Use Permit. The public hearing on these applications will be scheduled at a later time after the Chapter 343 process has been completed.

2. MR. MICHAEL W. FOLEY, Planning Director, requesting comments on the Draft Environmental Assessment (DEA) prepared in support of the Community Plan Amendment to redesignate the existing land uses from their current designations to open space and park for properties located makai of the proposed realigned Honoapiilani Highway from Papalaua to Puamana .for approximately 383.1 acres of land at TMK: 4-6-033, 4-7-001, 4-8-002, and 4-8-004, Ukumehame , Olowalu, and Launiupoko, Island of Maui. (EA 2006/0016) (J. Hunt)

The Maui Planning Commission is being asked to do the following:

- a. Concur with the Planning Department on the filing of a draft EA and anticipated FONSI determination with OEQC for publication.
- b. Provide comments on the Draft EA.

The EA triggers are the community plan amendment and the use of State or County lands or State or County funds. The Maui Planning Commission is designated as the accepting authority. The scope of the EA is limited to the proposed land use changes and does not address the development of the redesignated lands for open space or recreation uses. Separate environment documents will be prepared to address specific development proposals.

It is anticipated that the Planning Department will initiate the community plan amendment and zoning change requests in the future. The public hearing on these land use requests for a date after the Chapter 343 compliance has

been completed.

3. HYATT REGENCY MAUI requesting acceptance of the Final Environmental Impact Statement (EIS) in support of the Special Management Area Use Permit application for the Hyatt Regency Maui Timeshare Project at TMK: 4-4-013: 008, Kaanapali, Island of Maui. The proposed action involves the development of 121 timeshare units with 24 lock-out units for a key count total of 145. (EIS 2005/0002) (SM1 2006/0001) (J. Hunt) (The Draft EIS was reviewed at the August 8, 2006 meeting.)

The proposed action does not trigger Chapter 343, HRS. The EIS is being prepared voluntarily by the applicant.

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

The Commission may take action to accept the Final EIS.

D. COMMUNICATIONS

1. MR. MICHAEL W. FOLEY, Planning Director, notifying the Maui Planning Commission pursuant to Section 12-202-26(a) of its Special Management Rules of the Filing of the following notice of appeal of the director's decision:

MR. PAUL R. MANCINI of MANCINI WELCH & GEIGER, attorney for STEPHEN FINN submitting a Notice of Appeal dated November 17, 2006 of the Determination of the Planning Director that the Finn Project (a single family residence and related improvements) has potential to have an adverse impact on coastal resources and is subject to the Maui Planning Commission's Rules 12-202, et. al and requires a Special Management (Major) Use Permit for property situated at 4500 Makena Road, TMK: 2-1-001: 008, Makena, Island of Maui. (APPL 2006/0001) (SMX 2006/0150) (SSA 2006/0006) (T. Abbott)

The Commission will take no action on this matter at this meeting as this is for notification purposes only as required by the Planning Commission's SMA Rules.

- D. MINUTES OF THE SEPTEMBER 26, 2006, NOVEMBER 14, 2006 and RECESSED MEETING OF NOVEMBER 13, 2006 TO NOVEMBER 14, 2006.

E. DIRECTOR'S REPORT

1. Planning Commission Projects/ Issues
2. Status of the Maui Planning Commission Site Inspection of Kahoolawe
3. EA/EIS Report
4. SMA Minor Permit Report
5. SMA Exemptions Report

F. NEXT REGULAR MEETING DATE: January 9, 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 November 28, 2006.

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 (Mokai) 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\cardyn\121206.age)