

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

AGENDA

DATE: May 22, 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. SETTLEMENT

1. Corporation Counsel will present a settlement agreement with a recommendation for action by the Commission pursuant to Section 12-202-23(d)(3) of the Maui Planning Commission's Special Management Area Use Permit Rules arising out of a contested case between RICK ARMOUR/ DALE CASTLETON and the COUNTY OF MAUI PLANNING DEPARTMENT regarding Notices of Violation issued for alleged Special Management Area infractions for properties situated at 55 Auhana Road, TMK: 3-9-017:023, Kihei, Island of Maui. (T. Kapuaala)

* **An Executive Session may be called by the Commission in order to discuss their duties, powers, and liabilities as it relates to the subject settlement agreement.**

C. UNFINISHED BUSINESS

1. MR. RICK ARMOUR requesting a Special Management Area Use Permit for the Kalama Hills Subdivision in order to develop the existing vacant lot into a 12-lot single-family residential subdivision in the R-2 Residential District at 55 Auhana Street, TMK: 3-9-017: 023, Kihei, Island of Maui. (SM1 2005/0042) (D. Shupack) (Public hearing was conducted on September 12, 2006.)

The Commission may take action on the request.

2. MR. JAMES McCALL of DESIGN VISION ARCHITECTS requesting a Special Management Area Use Permit in order to construct the Hale Pama Condominiums, a 4-story, 6-unit condominium and related improvements at 2145 South Kihei Road, TMK: 3-9-016: 021, Kihei, Island of Maui. (SM1 2003/0001) (L. Callentine) (Public hearing conducted on April 25, 2006.)

Revised plans show that the number of units has been reduced from six to four.

The Commission may take action on this request.

3. MR. RYAN CHURCHILL of MAUI LAND & PINEAPPLE COMPANY requesting a Special Management Area Use Permit and a Phase 2 Project District Approval for the Kapalua Central Resort Project and related improvements, the development of a central village which will include a residential/ commercial mixed use component with common amenities, multi-family residential units, administrative facilities, a 15-lot large lot subdivision, and the realignment of Office Road at TMK: 4-2-004: 024 (portion), Kapalua, Lahaina, Island of Maui. (SM1 2006/0029) (PH2 2006/0006) (A. Cua) **(Matter was deferred from the April 24, 2007 meeting.)**

- a. Letter dated May 10, 2007 from MR. RYAN CHURCHILL of MAUI LAND & PINEAPPLE COMPANY requesting the matter be deferred until further notice.

The Maui Planning Commission may take action on this request.

D. DIRECTOR'S REPORT

1. Planning Commission Projects/Issues

2. Scheduling of the public hearing meeting on the following applications in the South Maui Community Plan region due to the project district application:

MS. TAMARA HORCAJO, Director, DEPARTMENT OF PARKS AND RECREATION requesting a Special Management Area Use Permit and a Phase 2 Project District Approval for the South Maui Community Park Project for a regional park and related improvements including a 1096-seat gymnasium, three soccer fields, two softball fields, one football field, five tennis courts, pavilion and amphitheater, 3 tot lots, 3 comfort stations, accessory building for park maintenance equipment, and on and off-site improvements at TMK: 2-2-002: 042. Kihei, Island of Maui. (SM1 2006/0028) (PH2 2006/0005) (D. Shupack)

The Commission may select a date and time for the special meeting in South Maui.

3. Designation of the Hana Advisory Committee to conduct the public hearing on the following application:

ROGER K. WILLIAMS, Trustee and RUTH W. WILLIAMS, Trustee et al. requesting a Change in Zoning from the Interim District to the Rural -1.0 District in order to build a 5th dwelling at the front portion of the lot at 6756 Hana Highway at TMK: 1-4-010: 022, Kipahulu, Island of Maui. (CIZ 2007/0007) (P. Fasi)

The Commission may act to designate the Hana Advisory Committee to conduct the public hearing on the zoning request.

4. Planning Department's Follow-Up Report on Matters raised by the Maui Planning Commission at the May 9, 2007 meeting.
5. EA/EIS Report
6. SMA Minor Permit Report
7. SMA Exemptions Report

E. NEXT REGULAR MEETING DATE: June 12, 2007

F. 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

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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.**

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\052207.age)