

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

AGENDA

DATE: August 14, 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. PUBLIC HEARING (Action to be taken after each public hearing item.)

1. MS. MARY OMWAKE of the UNITY CHURCH OF MAUI requesting a County Special Use Permit in order to operate church offices, to hold small gatherings such as memorial services, classes, workshops, seminars, and meetings in a single family dwelling 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

C. COMMUNICATIONS

1. MR. JAMES "MAC" LOWSON of LOKO MAUI, LLC requesting an amendment of an off-site parking approval to amend Condition No. 2 requiring recordation of Condition No. 1 for 53 parking stalls on the off-site parking lot located at 155 Dickenson Street, TMK: 4-5-009: 014, Lahaina, Island of Maui. (OSP 2002/0005) (L. Callentine)

The Commission may action on the request.

2. A&B KANE, LLC requesting an amendment to Condition No. 1 of a Special Management Area Use Permit to extend the time period to initiate construction of the project by two years or until June 30, 2009 for the Kane Street Commercial Mixed-use Project (aka Aina o Kane) on approximately 3.86 acres of land at TMK: 3-7-005: 003, 011, & 023, Kahului, Island of Maui. (SM1 2005/0004) (J. Buika)

The Commission may take action on the request.

D. UNFINISHED BUSINESS

1. MAUI LAND & PINEAPPLE COMPANY, INC. requesting a Special Management Area Use Permit and Step 1 and Step 2 Planned Development Approvals for the proposed Improvements at Kapalua Site 6-0 including approximately 58 workforce housing apartment units with a community center, three (3) new light industrial buildings for warehousing, offices, utilities, and resort maintenance with accessory storage and maintenance buildings, parking, landscaping, and other infrastructural improvements on approximately 6.37 acres of land off Lower Honoapiilani Road in the Kapalua Resort at TMK; 4-2-004: por. of 024, Kapalua, Island of Maui. (SM1 2006/0022) (PD1 2006/0002) (PD2 2006/0002) (A. Cua) (Public hearing conducted on February 13, 2007)

ISAAC HALL, attorney for the KAPALUA GOLF VILLAS submitting a Petition to Intervene dated January 30, 2007 on the above mentioned Permit requests. (Intervention granted at the February 13, 2007 meeting.)

A settlement has been reached between the parties.

The Commission may take action on the permit requests.

2. MR. RON SERLE requesting a State Land Use District Boundary Reclassification from the State Agricultural District to the State Rural District and a Change in Zoning from Interim District to RU-0.5 Rural District for the Serle Subdivision on approximately 5.258 acres of land at TMK: 2-7-002: 156 (formerly a portion of TMK: 2-7-002: 043), Haiku, Island of Maui. (DBA 2006/0002) (CIZ 2006/0005) (J. Dack) (Public hearing conducted on July 10, 2007.)
 - a. July 26, 2007 Letter from Christopher L. Hart of Chris Hart and Partners requesting that the item be deferred to a regular meeting in September 2007.

The Commission may take action to defer the matters or may take action on the land use requests.

E. MINUTES OF THE JUNE 12, 2007 MEETING

F. DIRECTOR'S REPORT

1. Planning Department's Follow-Up Report on Matters raised by the Maui Planning Commission at the July 24, 2007 meeting.
 - a. Clarification on the transfer of permits for the Makena Resort as discussed at the July 24, 2007 meeting.
 - b. Brief update on the Ukumehame Subdivision regarding grading along the highway. (T. Abbott)
 - c. Schofield SMX No. 2007/0123 - what and where is it? (T. Abbott)
 - d. Can Commissioner Hedani be patched via phone into the Policy Plan review? (J. Summers)
2. Planning Commission Projects/Issues
3. EA/EIS Report
4. SMA Minor Permit Report
5. SMA Exemptions Report

G. NEXT REGULAR MEETING DATE: August 28, 2007

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

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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. The deadline for filing a timely Petition to Intervene was on July 31, 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\081407.agenda)