

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

## AGENDA

DATE: September 25, 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. MR. JEFFREY S. HUNT. Planning Director transmitting proposed amendments to Chapter 12-202 of the Maui Planning Commission's Special Management Area Rules. The amendments will allow for the administrative approval of Special Management Area Use Permit time extensions under specified criteria. (J. Alueta)

Copies of the proposed rule amendments are available at the Planning Department.

- a. Public Hearing
- b. Action

2. MR. JEFFREY HUNT, Planning Director transmitting proposed amendments to Chapter 203: Shoreline Area Rules of the Maui Planning Commission. The proposed amendments allow for actions of the demolition of structures within the shoreline setback area under specified criteria without requiring a shoreline setback variance.

Copies of the proposed rule amendments are available at the Maui Planning Department Office.

- a. Public Hearing
  - b. Action
3. MR. RICHARD C. SMITH, Senior Pastor of the VALLEY ISLE CHRISTIAN FELLOWSHIP requesting a State Land Use District Boundary Reclassification from the State Agricultural District to the State Urban District and a Change in Zoning from the County Agricultural District to the P-1 Public-Quasi-Public District for the Valley Isle Fellowship Church Worship Multi-Purpose Building Facility on approximately 14.99 acres of land located on Honoapiilani Highway, TMK: 3-5-002: portion of 001, Wailuku, Island of Maui. (DBA 2006/0004) (CIZ 2006/0011) (R. Loudermilk)
- a. Public Hearing
  - b. Action
4. MR. JEFFREY S. HUNT, AICP, Planning Director transmitting A Bill for an Ordinance Amending Title 19, Maui County Code, Relating to the Maui County Cultural Resources Commission
- a. Public Hearing
  - b. Action

#### C. COMMUNICATIONS

1. WV SUB, LLC c/o GENERAL GROWTH PROPERTIES requesting an amendment to Condition No. 5 of the Special Management Area Use Permit for the Whaler's Village Parking Structure and other improvements regarding the width of the public access easement for property situated at TMK: 4-4-008: 001, Kaanapali, Island of Maui. (86/SMA-19) (R. Loudermilk) (Previously scheduled for the September 11, 2007 meeting. (Commissioners: Please bring the Department's report with you.)

The Commission may action on the request.

2. CHRIS HART & PARTNERS on behalf of MR. MIKE DEZAHD requesting an amendment to Condition No. 1 of a Special Management Area Use Permit to expand the time period for two years or until August 31, 2009 to initiate construction of the Kihei Hanalei Condominiums on approximately 0.24 acres of land at TMK: 3-9-005: 019, Kihei, Island of Maui. (SM1 2004/0037) (J. Buika) (Previously scheduled for the September 11, 2007 meeting. Commissioners please bring the Department's Report with you.)

D. UNFINISHED BUSINESS

1. GLENN M. KOSAKA , attorney for PRIMEWEST CAPITAL (HAWAII), INC. submitting a Petition to Intervene dated August 24, 2007 on the application of MR. RYAN CHURCHILL of MAUI LAND AND PINEAPPLE COMPANY requesting a Special Management Area Use Permit for the Kapalua Coastal Trail Project and related improvements at TMK: 4-2-004: 004, 010, 012, 014, 015, 016, 017, 024, 025, 032, 034, 037, and 043; and TMK: 4-2-005: 041, 042, and 049, Kapalua, Lahaina, Island of Maui. (SM1 2006/0026) (T. Abbott) (Deferred from the Commission's September 11, 2007)
  - a. GREG GARNEAU, attorney for MAUI LAND AND PINEAPPLE COMPANY submitting a Memorandum dated August 27, 2007 in opposition to the Petitions to Intervene including that of PRIMEWEST CAPITAL (HAWAII), INC. on the Special Management Area Use Permit for the Kapalua Coastal Trail.

The Commission may take action on this request. If any of the Petitions to Intervene are granted for the Kapalua Coastal Trail item, the Commission may select a Mediator and a Hearings Officer.

2. MR. RYAN CHURCHILL of MAUI LAND AND PINEAPPLE COMPANY requesting a Special Management Area Use Permit for the Kapalua Coastal Trail Project and related improvements at TMK: 4-2-004: 004, 010, 012, 014, 015, 016, 017, 024, 025, 032, 034, 037, and 043; and TMK: 4-2-005: 041, 042, and 049, Kapalua, Lahaina, Island of Maui. (SM1 2006/0026) (T. Abbott) (Applicant has subsequently deleted TMK 4-2-004: 043 and TMK: 4-2-005: 049 from the request.) (Public Hearing conducted on September 11, 2007 and matter deferred. Commissioners: Please bring your materials with you.)
3. 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.) (Matter deferred at the August 14 meeting.)

- 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.

4. MR. JEFFREY S. HUNT, AICP, Planning Director, transmitting the 2030 Countywide Policy Plan (Plan) to the Maui Planning Commission pursuant to the provisions of Chapter 2.80B of the Maui County Code. The Maui Planning Commission may review and provide recommendations on Section IV (Goals, Objectives, & Policies) of the Plan, which was revised to reflect the recommendations of the Maui, Molokai and Lana`i General Plan Advisory Committees. Emphasis will be placed on the revised **EXPAND HOUSING OPPORTUNITIES FOR COUNTY CITIZENS and PROMOTE SUSTAINABLE LAND USE AND POPULATION MANAGEMENT**. *(Plan was mailed previously. Commissioners: Please bring your copy. To view Section IV, (Goals, Objectives, & Policies) see Maui County website at: [http://www.co.maui.hi.us/departments/Planning/pdf/Full\\_Directors\\_Report.pdf](http://www.co.maui.hi.us/departments/Planning/pdf/Full_Directors_Report.pdf) )*  
*(To begin at 1:00 p.m. or soon thereafter.)*

The Commission may take action on these sections.

E. DIRECTOR'S REPORT

1. Planning Department's Follow-Up Report on Matters raised by the Maui Planning Commission at the August 28, 2007 meeting.
2. Planning Commission Projects/Issues
3. EA/EIS Report
4. SMA Minor Permit Report
5. SMA Exemptions Report

F. NEXT REGULAR MEETING DATE: October 9, 2007

G. ADJOURNMENT

Maui Planning Commission Agenda  
September 25, 2007  
Page 5

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.

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\092507.agenda)