

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 9, 2008 (Tuesday)
TIME: 8:30 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Jonathan Starr (Chair), John Guard IV (Vice-Chair), William Iaconetti, Wayne Hedani, Bruce U'u, Kent Hiranaga, Ward Mardfin, Donna Domingo

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

1. KAUHALE MAKAI AOA requesting a Conditional Permit to operate concierge services for the Kauhale Makai Project at 938 South Kihei Road, TMK: 3-9-001: 075-128, Kihei, Island of Maui. (CP 2008/0001) (J. Prutch) (Rescheduled to the January 13, 2009 meeting due to lack of proper notification of neighboring property owners.)

C. UNFINISHED BUSINESS

1. MAUI LANI 100LLC requesting Phase II Project District Approval for the Maui Lani Village Mixed Use (VMX) District Project at Kuikahi Road and the Maui Lani Parkway, for construction of a Village Mixed Use Project consisting of 150 Multi-family residential units integrated with commercial/retail, light manufacturing, and live/work uses in a 57-acre VMX (CR) Subdistrict, and approximately 114 Single-Family and 211 Multi-Family units in a 34-acre VMX (R) Subdistrict, TMK: 3-8-007: (por) of 151, 152, and (por) of 155, Kahului, Island of Maui. (PH2 2007/0002) (A. Cua) (Public hearing conducted on August 12, 2008.)

The Commission may take action on this request.

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

1. MAUI LANI 100 LLC requesting a County Special Use Permit to allow for automobile services and wholesale distribution storage use in the Village Mixed Use Commercial/ Residential Subdistrict at TMK: 3-8-007: 151(por.) and 152, Kahului, Island of Maui. (CUP 2008/0004) (A. Cua)
 - a. Public Hearing
 - b. Action

2. MAUI BEACH PLACE, LLC requesting a Special Management Area Use Permit for the Maui Beach Place Condominium Project, a 3-unit residential condominium and associated site landscaping, parking, and utilities at 2192 Iliili Place, TMK: 3-9-005: 033, Kihei, Island of Maui. (SM1 2007/0017) (J. Buika)
 - a. Public Hearing
 - b. Action

3. MS. BRANDIS SARICH of HUNTON CONRAD & ASSOCIATES requesting a Special Management Area Use Permit in order to construct an additional single family dwelling and garage at 450 Front Street, TMK: 4-6-006: 005, Lahaina, Island of Maui. (SM1 2007/0011) (L. Callentine)
 - a. Public Hearing
 - b. Action

E. UNFINISHED BUSINESS

1. WESTERN APARTMENT SUPPLY & MAINTENANCE COMPANY requesting the following land use changes for the Maui Oceanfront Inn and Sarento's on the Beach Restaurant project at 2980 South Kihei Road, TMK: 3-9-004: 029 and 3-9-004: 149, Kihei, Island of Maui (R. Loudermilk) (Public hearing conducted on November 25, 2008.)
 - a. Community Plan Amendment from Single Family Residential to H-M Hotel (CPA 2006/0005);
 - b. Conditional Permit to maintain current hotel and restaurant uses of the subject property and improve Parcel 149 with the construction of a paved parking lot (CP 2006/0012)
 - c. Shoreline Setback Variance to maintain current hotel and restaurant uses of the subject property and improve parcel 149 with the construction of a paved parking lot. (SSV 2006/0004)
 - d. Special Management Area Use Permit to maintain current hotel and restaurant uses and construct a parking lot on parcel 149. (SM1 2006/0017)

The Commission may take action on these requests.

2. WESTERN APARTMENT SUPPLY & MAINTENANCE COMPANY requesting an Offsite Parking Approval for the Maui Oceanfront Inn and Sarento's on the Beach Restaurant project at 2980 South Kihei Road, TMK: 3-9-004: 029 and 3-9-004: 149, Kihei, Island of Maui (OSP 2006/0002) (R. Loudermilk)

The Commission may take action on this request.

F. COMMUNICATIONS

1. MR. ANTHONY PLITT on behalf of INTRAWEST requesting an amendment to the Special Management Area Use Permit (SM1 2004/0017) and Step 2 Planned Development Approval (PD2 2004/0005) for the North Beach Lot 4 Honua Kai Project to include a redesigned restaurant on the 34.8 acre site at TMK: 4-4-014:006, Kaanapali, Island of Maui. (SM1 2004/0017) (PD2 2004/0005) (J. Prutch)

The Commission may take action on this request.

2. MR. ANTHONY PLITT on behalf of INTRAWEST requesting a Step 3 Planned Development Approval for the development of a restaurant on the 34.8 acre Honua Kai site at TMK: 4-4-014:006, Kaanapali, Island of Maui. (PD 3 2008/0004) (J. Prutch)

The Commission may take action on this request.

3. Selection of a Hearings Officer on the following SMA appeal: (T. Kapuaala)

THOMAS D. WELCH of MANCINI WELCH & GEIGER representing DOUGLAS and DONNA ANNE POSELEY for an appeal of the Planning Director's decision to not process a Special Management Area Assessment (SMX 20080118) for a proposed single-family residence because the action is inconsistent with the West Maui Community Plan unless the appropriate applications are submitted to establish consistency for property that is located off of Honoapiilani Highway, Olowalu, Lahaina, Maui, Hawaii. (APPL 20080002)

The Commission may take action to select a hearings officer.

G. ACTION MINUTES OF THE NOVEMBER 10, 2008 AND NOVEMBER 25, 2008 MEETINGS

H. DIRECTOR'S REPORT

1. Planning Commission Projects/Issues
2. Discussion of Future Maui Planning Commission Agendas
3. EA/EIS Report

4. SMA Minor Permit Report circulated for November 25, 2008 meeting.
 5. SMA Minor Permit Report
 6. SMA Exemptions Report circulated for November 25, 2008 meeting.
 7. SMA Exemptions Report
- I. NEXT REGULAR MEETING DATE: January 13, 2009
- J. 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 the filing of a timely Petition to Intervene was on November 24, 2008 at 4:30 pm.

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\120908.agenda)