

LANA'I PLANNING COMMISSION

PURSUANT TO CHAPTER 92, PART I, OF THE HAWAII REVISED STATUTES AS AMENDED; NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE LANA'I PLANNING COMMISSION

AGENDA (HYPERLINKS TO MEETING MATERIALS ADDED)

DATE: November 28, 2018
TIME: 5:00 P.M.
PLACE: Lana'i Senior Center
309 Seventh Street
Lana'i City, Lana'i, Hawaii 96763

Members: Caron Green (Chair), Shelly Preza (Vice-Chair), Roxanne Catiel, John Delacruz, Mililani Martin, Sherry Menze, Gerald Rabaino, Shirley Samonte, Chelsea Trevino

A. CALL TO ORDER

B. PUBLIC TESTIMONY - At the discretion of the Chair, public testimony may also be taken when each agenda item is discussed, except for contested cases under Chapter 91, HRS. Individuals who cannot be present when the agenda item is discussed may testify at the beginning of the meeting instead and will not be allowed to testify again when the agenda item is discussed unless new or additional information will be offered.

C. PUBLIC HEARING (Action to be taken after public hearing.)

1. LANAI RESORTS, LLC, doing business as PŪLAMA LĀNA'I requesting a Project District Phase 2 Development Approval and County Special Use Permit for construction and operation of an Adventure Center including zip line facilities, recreational climbing courses, and a welcome center, at the former Experience at Koele Golf Course located on a portion (approximately 30 acres) of the 325.2-acre parcel of land identified by Tax Map Key (2) 4-9-018:003 (POR.), Koele, Lāna'i, Hawai'i (PH2 2018/0001) (CUP 2018/0001) (A. Cua for K. Wollenhaupt) (*Commissioners: Please bring your copy of the [application booklet](#) which was previously mailed to you.*) [Report](#) [Recommendation](#)

D. COMMUNCIATIONS

1. ALICIA ALCANTARA BRANDT requesting a Short-Term Rental Home Permit in order to operate 444 Lanai, a three-bedroom short-term rental located in the R-1 Residential District at 444 Lanai Avenue, TMK: (2) 4-9-010:014, Lanai City, Island of Lanai. (STLA T2018/0003) (J. Burkett) (The Lanai Planning Commission conducted a public hearing and acted to approve the permit request on October 17, 2018.) [Exhibit](#)

The Commission reviewed the application because there are at least two permitted short-term rental home operations located within 500 feet of the subject property.

Related to the approval of a Short Term Rental Home Permit for 444 Lanai Avenue, Lanai City, STLA T2018/0003, on October 17, 2018, by the Lanai Planning Commission.

The Lanai Planning Commission is being notified of an apparent error made by the applicant in the certified mail notices required pursuant to Sections 19.65.050.B and 19.65.050.D.4, which relate to notification of the owners or lessees of record within the 500 foot radius of a proposed short term rental home. The Planning Department recommends that the Lanai Planning Commission rescind its approval of said permit.

The Lanai Planning Commission may consider rescission of the STRH permit approval for STLA T2018/0003, related to 444 Lanai Avenue, Lanai City.

With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County and the Commission.

2. Discussion of establishing caps for [Short-Term Rental Homes and Bed and Breakfast Homes on Lanai](#).

The Commission may determine whether a cap(s) should be established and if so what the suggested cap(s) should be proposed in future legislation. The Commission may then direct the Planning Department and the Department of the Corporation Counsel to draft such a bill for public hearing at a future Commission meeting.

3. Discussion of allowing no building setback in the Residential District in Lanai City for carports, garages and storage buildings.

The Commission may determine whether the front, side and rear yards should be zero feet for carports, garages and storage buildings on properties in Lanai City that are zoned Residential. The Commission may then direct the Planning Department and the Department of Corporation Counsel to draft such a bill for public hearing at a future Planning Commission meeting.

E. DIRECTOR'S REPORT

1. Native Hawaiian Law Training
2. [Open Lanai Applications Report](#) as distributed by the Planning Department with the October 17, 2018 agenda
3. [Open Lanai Applications Report](#) as distributed by the Planning Department with the November 28, 2018 agenda.
4. Agenda Items for the December 12, 2018 meeting.

F. NEXT REGULAR MEETING DATE: DECEMBER 12, 2018 (2nd Wednesday)

G. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE COMMISSION TO CONSULT WITH ITS ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE COMMISSION'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES, PURSUANT TO SEC. 92-5(a)(4), HRS.

DOCUMENTS ARE ON FILE WITH THE DEPARTMENT OF PLANNING. THE ADDRESS OF THE COMMISSION IS C/O DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 619, WAILUKU, MAUI, HAWAII 96793. DOCUMENTS RELATING TO THIS MEETING MAY BE FOUND ON THE COUNTY OF MAUI OFFICIAL WEBSITE AT WWW.MAUICOUNTY.GOV UNDER BOARDS AND COMMISSIONS, LANAI PLANNING COMMISSION.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE.

WRITTEN TESTIMONY AND FAXES SHOULD BE RECEIVED AT LEAST TWO (2) BUSINESS DAYS BEFORE THE MEETING TO ENSURE DISTRIBUTION TO THE COMMISSION. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE REQUESTED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

Unless otherwise specified by another planning commission rule, any petition to intervene as a formal party in the proceedings before the 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 Department of Planning, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Maui, Hawaii 96793. The deadline for filing a timely Petition to Intervene for an item where the first public hearing date was on November 28, 2018 was on November 13, 2018.

TESTIFIERS: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, and Conditional 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

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Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawaii 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE DEPARTMENT OF PLANNING AT 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1-800-272-0125 (Lanai) OR NOTIFY THE DEPARTMENT OF PLANNING IN WRITING AT ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793 OR FAX NUMBER 270-7634; AT LEAST **SIX (6)** BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

PLEASE NOTE: If any member of the Commission is unable to attend the scheduled meeting, please contact the Department of Planning at least one day prior to the meeting date. Thank you for your Cooperation. S:\ALL\Leilani\LPC\Agenda\2018\112818age.docx



County of Maui
 Kalana O Maui Building
 200 South High Street,
 Wailuku, HI 96793-2155

Open PD - Projects by TMK Report

10/05/2018

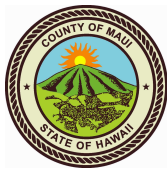
Entry Date: 10/05/2016 - 10/05/2018

Permit Type: %

TMK: 249%

<u>TMK</u>	<u>Project</u>	<u>Permit Name</u>	<u>Permit #</u>	<u>Applicant Name</u>	<u>Entry Date</u>	<u>Completion Date</u>	<u>Status</u>	<u>Project Lead</u>
2490020410000	LANA'I HYDROPONICS	DEMONSTRATION KITCHEN\LANA'I	CUP - 20180002	LANA'I RESORTS LLC	04/23/2018		OPEN	WILLENBRINK
2490040100000	LANAI SUNSET HALE	REVIEW FOR COMPLETENESS\LANAI	RFC - 20180108	PATRICK S CARUSO	10/01/2018		OPEN	BURKETT
2490050290000	HALE LANAI	REVIEW FOR COMPLETENESS/LANAI	RFC - 20180103	LORRIE NIELSON	09/26/2018		OPEN	BURKETT
2490070290000	KIM MASSE	KIM MASSE/LANAI	CIZ - 20180005	KIM MASSE AND KENNETH KANIHO	04/20/2018		OPEN	WILLENBRINK
	KIM MASSE	CIZ & CPA/LANAI	CPA - 20180005	KIM MASSE AND KENNETH KANIHO	04/20/2018		OPEN	WILLENBRINK
2490070390000	HALE O LANA'I	STLA/LANA'I	STLA - T20180005	JAMES COON	07/24/2018		OPEN	BURKETT
2490080370000	LANAI BAMBOO LODGE	STLA/LANAI	STLA - T20180001	RICHARD W WIDMAIER	05/18/2018		OPEN	BURKETT
2490090140000	MALAMA LANA'I HALE	STLA/LANAI	STLA - T20180002	ANDREA IPPEN	05/18/2018		OPEN	BURKETT
2490100140000	444 LANAI	STLA/LANAI	STLA - T20180003	ALICIA ALCANTARA BRANDT	05/18/2018		OPEN	BURKETT
2490100500000	HALE NANI	HALE NANI STRH/LANAI	STLA - T20180006	BRENDA HINTON	08/28/2018		OPEN	WOLLENHAUPT
2490120480000	RAD RED HOUSE	RAD RED HOUSE STRH	STLA - T20180007	AMY E RICE, DAVID A ANDERSON	09/24/2018		OPEN	WOLLENHAUPT
2490130010000	HALE OHANA	REVIEW FOR COMPLETENESS/LANAI	RFC - 20180109	RUSSELL NEILSON	10/01/2018		OPEN	WOLLENHAUPT
2490170020000	HULOPOE BEACH PARK	SAFETY & NEW SIGNAGE\LANAI	SM2 - 20180011	LANAI RESORTS LLC	02/28/2018		VOID	SCOTT
2490170080000	MANELE GOLF COURSE	REPAIR/REPLACMT IRRIGATION\LANAI CITY	SM7 - 20170001	LANAI RESORTS LLC	05/17/2017		OPEN	THACKERSON
	MANELE GOLF COURSE	REPAIR/REPLACMT IRRIGATION\LANAI CITY	SMX - 20160505	LANAI RESORTS LLC	11/21/2016		OPEN	THACKERSON
	MANELE GOLF COURSE	REPAIR/REPLACMT IRRIGATION\LANAI CITY	SSA - 20170026	LANAI RESORTS LLC	05/17/2017		OPEN	THACKERSON
2490180030000	ADVENTURE CENTER	PROPOSED ADVENTURE CENTER AT KOELE	CUP - 20180001	LANAI RESORTS LLC	03/29/2018		OPEN	WOLLENHAUPT
	ADVENTURE CENTER	PROPOSED ADVENTURE CENTER AT KOELE	PH2 - 20180001	LANAI RESORTS LLC	03/29/2018		OPEN	WOLLENHAUPT

Grand Total: 18



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Planning Department - Completed Projects by TMK Report

Completion Date: 07/05/2018 - 10/05/2018

Permit Type: %

TMK: 249%

Does not include permit types: LTR, SPC and S.

<u>TMK</u>	<u>Project</u>	<u>Description</u>	<u>Permit #</u>	<u>Applicant Name</u>	<u>Entry Date</u>	<u>Completion Date</u>	<u>Status</u>	<u>Project Lead</u>
2490020580000	LANAI HOUSING PROJ	PROPOSED 201H LANAI AFFORDABLE HOUSING PROJECT	RFC - 20180070	DEPARTMENT OF HOUSING & HUMAN CONCERNS	08/09/2018	09/11/2018	DONE	WOLLENHAUPT
2490120480000	RAD RED HOUSE	REVIEW FOR COMPLETENESS\ LANAI SHORT TERM RENTAL HOME	RFC - 20180091	AMY E RICE, DAVID A ANDERSON	09/19/2018	09/20/2018	DONE	WOLLENHAUPT
2490170080000	MANELE GOLF COURSE	MANELE GOLF COURSE REPAIR-PHASE 2	EAE - 20170029	LANAI RESORTS LLC	05/17/2017	08/16/2018	DONE	THACKERSON

Grand Total: 3

PERMIT TYPES:

CIZ - CHANGE IN ZONING

CPA - COMMUNITY PLAN AMENDMENT

CUP - COUNTY SPECIAL USE PERMIT

EAE - ENVIRONMENTAL ASSESSMENT EXEMPTION

PH2 - PROJECT DISTRICT PHASE 2

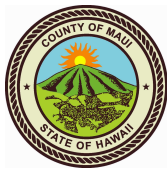
RFC - REQUEST FOR COMMENTS

SM2 - SMA MINOR PERMIT

SM7 - SMA MINOR, LANAI

SSA - SHORELINE SERBACK APPROVAL

STLA - SHORT-TERM RENTAL HOME, LANAI



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Open PD - Projects by TMK Report

11/19/2018

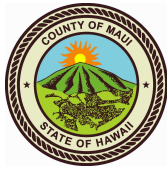
Entry Date: 11/19/2016 - 11/19/2018

Permit Type: %

TMK: 249%

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2490050290000	HALE LANAI	REVIEW FOR COMPLETENESS/LANAI	STLA - T20180008	LORRIE NIELSON	10/10/2018		OPEN	BURKETT
2490070290000	KIM MASSE	KIM MASSE/LANAI	CIZ - 20180005	KIM MASSE AND KENNETH KANIHO	04/20/2018		OPEN	WILLENBRINK
	KIM MASSE	CIZ & CPA/LANAI	CPA - 20180005	KIM MASSE AND KENNETH KANIHO	04/20/2018		OPEN	WILLENBRINK
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2490140010000	HOKU-AO 201H HOUSING	CONSULT FOR DRAFT EA\LANAI	RFC - 20180132	HOOKULEANA LLC	11/16/2018		OPEN	WOLLENHAUPT
2490140090000	HOKU-AO 201H HOUSING	CONSULT FOR DRAFT EA\LANAI	RFC - 20180132	HOOKULEANA LLC	11/16/2018		OPEN	WOLLENHAUPT
2490140110000	HOKU-AO 201H HOUSING	CONSULT FOR DRAFT EA\LANAI	RFC - 20180132	HOOKULEANA LLC	11/16/2018		OPEN	WOLLENHAUPT
2490180030000	ADVENTURE CENTER	PROPOSED ADVENTURE CENTER AT KOELE	CUP - 20180001	LANAI RESORTS LLC	03/29/2018		OPEN	WOLLENHAUPT
	ADVENTURE CENTER	PROPOSED ADVENTURE CENTER AT KOELE	PH2 - 20180001	LANAI RESORTS LLC	03/29/2018		OPEN	WOLLENHAUPT
249004010000	LANAI SUNSET HALE	LANAI SUNSET HALE STRH/LANAI	STLA-T2018/0009	PATRICK S. CARUSO	10/25/2018		OPEN	BURKETT

Grand Total: 13



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Planning Department - Completed Projects by TMK Report

Completion Date: 08/19/2018 - 11/19/2018

Permit Type: %

TMK: 249%

Does not include permit types: LTR, SPC and S.

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2490040100000	LANAI SUNSET HALE	LANAI SUNSET HALE SHORT TERM RENTAL	RFC - 20180108	PATRICK S CARUSO	10/01/2018	10/25/2018	DONE	BURKETT
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	MANELE GOLF COURSE	MANELE GOLF COURSE REPAIR-PHASE 2	SSA - 20170026	LANAI RESORTS LLC	05/17/2017	11/16/2018	DONE	THACKERSON

Grand Total: 7