

HANA ADVISORY COMMITTEE TO THE  
MAUI PLANNING COMMISSION  
REGULAR MEETING  
JANUARY 13, 2005

**A. CALL TO ORDER**

The regular meeting of the Hana Advisory Committee (Committee) was called to order by Chairperson Nalani Shamblin at 4:10 p.m., Thursday, January 13, 2005, Old Hana School Cafeteria, Hana, Maui.

A quorum of the Commission was present. (See Record of Attendance.)

Ms. Nalani Shamblin: Okay, we're going to go ahead and start this meeting of January 13, 2005. We have an agenda and, currently, we have a quorum; hopefully, one more person comes and that'll really secure the quorum because I have one person that needs to leave at 5:30, so we're going to go ahead and start. The first item on the agenda is we need to elect a vice-chairperson.

**B. ELECTION OF VICE-CHAIRPERSON FOR THE REMAINDER OF THE 2004-2005 BOARD YEAR**

Mr. James Giroux: We need a nomination, and then a second, and then we can vote on it with a discussion. The vice-chairman's responsibility would be to, basically, if the chairperson doesn't take up -- show up, then the vice-chairperson would take over the duty to run the meeting for that one session, and that would run until 2005, for one year. So we just need a nomination.

Mr. John Romain: I'd like to nominate Kauai Kanakaole.

Mr. Daniel Omer: Second.

Ms. Shamblin: Any discussion to that? Seeing none, we're going to vote.

There being no discussion, the nomination was put to a vote.

**It was nominated by Mr. Romain, seconded by Mr. Omer, then unanimously**

**VOTED: that Kauai Kanakaole serve as vice-chairperson for the remainder of the 2004-2005 board year.**

Ms. Shamblin: Motion carried. That was fast. Second on the agenda, we're going to approve the minutes of November 8, 2004. Is there a motion to approve the minutes of November 2004?

Mr. Romain: I make a motion that we approve the minutes.

Ms. Shamblin: Okay, second?

Ms. Fawn Sherie Helekahi-Burns: I second.

Ms. Shamblin: Any discussion? None. Motion carried.

**The minutes of the November 8, 2004 meeting was approved as circulated.**

Ms. Shamblin: Third on the agenda is a public hearing on Ohana Hotel Company, LLC, and we'll ask the staff to read --

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

- 1. OHANA HOTEL COMPANY, LLC requesting a Special Management Area Use Permit for the proposed Hana Ranch Store and related improvements to include the development of a new Hana Ranch Store, re-roof the existing store building and related improvements on Mill Road and Hana Highway at TMK: 1-4-003: 056 (por.), Hana, Island of Maui. (SM1 2004/0020) (T. Abbott)**

Mr. Clayton Yoshida: Good afternoon, Madam Chair, members of the Hana Advisory Committee. My name is Clayton Yoshida, I'm a Administrator of the Current Planning Division for the Planning Department, and with us today is your Deputy Corp. Counsel, James Giroux; from the Planning Department we have the Staff Planner who specializes in coastal resources, Thorne Abbott; and your Secretary to Boards and Commissions, Suzette Esmeralda. We would just ask that the board members and the members of the public speak into the mike for purposes of transcription of the minutes. The minutes of this meeting will be transmitted to the Maui Planning Commission along with any recommendations the Advisory Committee may have. So, with that, I'll turn it over to the Staff Planner on this item regarding the Hana Ranch Store, Thorne Abbott.

Mr. Thorne Abbott: Good afternoon. It's a pleasure and a privilege to speak to you today, and my name's Thorne Abbott with the Maui Planning Department, and I would like to present to you the new Hana Ranch Store and improvements, Special Management Area

Permit Application No. SM1 2004/0020. Now the, as I'm sure you're quite familiar with, the Special Management Area Application purpose is really to avoid, minimize, and mitigate any coastal and ecological environmental impacts, it's also to ensure that no historical artifacts are impacted, and also to ensure public involvement and transparency in the decision-making process. There was a public information meeting, a community information meeting held on August 4, at Helene Hall, there were 35 participants in that. On September 13, there was a Notice of Application and location map published in the *Maui News*. On November 26, the Maui Planning Department notified the applicant of the hearing date, and on December 10, the applicant put a Letter of Public Hearing and mailed that to all adjacent landowners within 500 feet. And, finally, on December 13, the department, the Maui Planning Department, published a Notice of Public Hearing, this public hearing, throughout the Hawaiian Islands.

Now the project itself is a 2.3, I'm sorry, a 2 million dollar project in Hana Town Center. It's a new Hana Ranch Store. It's a 10,400 square-foot two-story store, a new one. It'll have 7700 square-foot of sales area; 2,000 square-foot of warehouse and storage; 300 square-foot of financial institutional services; 400 square-foot of offices; it'll have 83 new parking stalls; a new driveway on the northwestern side; access on the southwestern side from Mill Road; site servicing; a new IWS septic tank and leach field; it'll also have drainage improvements; a retention basin; landscaping; the cart path and pedestrian access will be retained and promoted, and it'll create the equivalent of six full-time jobs, and then they'll also be re-roofing the existing Hana Ranch Store.

The State Land Use Designation is Urban. The Hana Community Plan calls for -- designates it as Business. The County Zoning is B-2 or Community Business District. It's Flood Zone C, so there's no issues about flooding. It's located in the Hana Town Center, and it's in the SMA or Special Management Area.

Looking at infrastructure, for water, they're going to use the private water system, the Wananalua Water System 201, I believe it is. For sewer, they're going to put in a septic tank and a leach field. The police and fire protection will be using the Hana substation, and there is favorable support expressed by the Police Department. For drainage and runoff, from a 50-year 1-hour storm, there would be 17.8 cubic feet per second total created from the site, which is an increase of 12 cubic feet per second, and that would be retained in a 71 cubic feet retention basin in front of Hana Store between the store and Hana Highway.

As far as curbs and gutters, which is something DPWEM normally recommends, they waived those requirements because of the Hana Town Design Guidelines; that wouldn't fit very well with the flavor and the design of Hana Town itself.

For electric, MECO will provide the electric. There are backup generators. I believe the consultant can speak more to that.

Solid waste would use the Hana Sanitary Landfill and they will be putting in trash receptacles that promote recycling of glass, so kind of a split type of trash receptacle.

There were 11 agencies that had no comment. They include County agencies such as DPWEM, DSA, the Fire Department, and Department of Parks and Rec. Other agencies: the U.S. Fish and Wildlife Service; the U.S. Corps of Engineers; Maui Electric. And then State agencies: the Land Use Commission; the Office of State Planning; DAGS Survey Division; Department of Transportation Statewide Planning Office, and DLNR all had no comment.

There are two reports attached to your report, Committee, and the first is the Preliminary Drainage Report, shown in Exhibit C-1 through C-9, and, basically, that summarizes that the storm water created by this development will be retained onsite and treated in the retention basin. And then in Exhibit C-10 through C-20 is the Historic Artifact Inventory. There was a trash pit found on site during some test excavations. And SHPD, the State Historic Preservation Division, has looked through that report and the monitoring plan that has been placed as a condition within the permit and found that to be acceptable.

There were three agencies with pretty much standard comments and conditions: DLNR Engineering Division said it's Flood Zone C, no flooding; Department of Health Maui said that an NPDES permit would be required and Community Noise Control Permit may be required, and that's shown in Exhibit B-3 and B-4, and those are Conditions No. 17 and No. 22 in the Department's Recommendation; the NRCS had the standard comment of putting in an erosion control plan and best management practices to control runoff and reduce sediment, and that's shown in Exhibit B-9, and, again, as Conditions No. 14 and 19 within the SMA permit recommendation.

There were four agencies that had more specific comments. The Police Department, shown in Exhibit B-1 and 2, were very favorable to the project, they recommend approval, and they also recommend crime prevention through environmental design, a pretty standard condition of theirs; it's Condition No. 18 in the recommendation. The Department of Water Supply, shown in Exhibit B-5 and B-6, wanted an easement for an existing four-inch waterline that's on the property, and that's shown as Condition 21 in the recommendation. DLNR, SHPD, State Historic Preservation Division, their comments are shown in Exhibit B-7 and B-8, and, basically, they require a monitoring plan if they're going to be excavating near this trash pit that they found some historic artifacts, and that's Condition No. 20 in the recommendation. And, finally, Department of DPWEM, as I

mentioned, their comments are shown in B-10 and 12, and they said compliance with Hana Community Design Guidelines was acceptable.

Finally, other testimony, the Urban Design Review Board did review this project and, based on the site plan that was presented on November 16, 2004, they recommended approval that included the use of down-lighting, native landscape plantings, shade trees, and that signs and trash enclosures would be to code. They seemed to be fairly pleased with the design and were favorable to recommending it. The applicant concurred these recommendations on November 16, 2004, and that is Condition No. 4 in the recommendation. I should note that there is a typo in your report, but not in the recommendations as far as the date of the UDRB meeting, and it list it as October 17, 2004, that's incorrect, and that's on Page 22 and Page 27.

Finally, in public testimony, I mentioned there was a public information meeting held in August 2004, a local Police Department member expressed support for the project, and J. Kalani English also just recently wrote a letter supporting the traffic -- supporting the project based on the convenience and reduced trips to Central Maui for shopping.

The Planning Department recommends approval with 10 standard and 11 project specific conditions. And, at this point, I'll entertain any questions you may have and I'd like to turn it over to the consultant to describe the project in greater detail.

Mr. Mich Hirano: Good afternoon, Chairperson Shamblin and Committee members. My name is Mich Hirano, I'm with Munekiyo and Hiraga, and our firm is assisting the applicant, Ohana Hotel Company, LLC, with the Special Management Area Use Permit application for the new Hana Ranch Store, and as part of the SMA assessment it's, as well, improvements to the existing Hana Ranch Store. I would just like to provide some information regarding the community setting for the project, give some details of the project assessment report that we carried out for the application, and then turn the presentation over to Jim Niess, who is the project architect, and he could give the Committee members a little more description about the details of the project.

I'd just like to add that the subject property is identified by Tax Map Key 1-4-03:parcel 56. If you look at Figure 2 of your staff report, you can see that Parcel 56, it's a much larger parcel, it's about 37 acres in size, and it sort of goes and surrounds the project site. The project site is in the northwestern portion of the Parcel 56 and it's about a 3-acre parcel. This is the existing Hana Ranch Store; this is the warehousing storage facilities related to the store operations; and this grass area is the site for the new proposed Hana Ranch Store. As you can see, it's adjacent to Hana Highway. Access will be provided off of Hana Highway, along Mill Road, which is a private road. Surrounding properties: this is the Verizon Hawaii office; Saint Mary's Church; the church on -- across the way, vacant

commercial lands; Hasegawa Store; overflow parking to the south of Mill Road; Hana Treasures Gift Store; Hana Ranch Restaurant; commercial building with the Bank of Hawaii, Hana Realty, and a gift and flower shop on this particular corner of the building. These buildings are service buildings for the Hana Hotel Maui, and there's a cart path that carries -- that is used by the store hotel operations and crosses the street, Hana road, Hana Highway down into the hotel.

As I mentioned, the Parcel 56 is a 37-acre parcel. The designation for that parcel in terms of Community Plan Land Use Designation, it's Business in the lower portion of the parcel, there's a strip of Open Space behind the commercial area, and then up in the top -- up in the top portion of the project, it's designated and zoned for Single-Family use. The project essentially, and again, I will just repeat some of the project elements, construction elements, it's to renovate the existing Hana Ranch Store. The Hana Ranch Store is approximately 5,000 square feet. Proposed renovations would be new roof, siding, and painting. The new store, which will be located makai of the warehouse in the grass area that is presently a lawn, is approximately 10,400 square feet. Parking will be provided behind the store; it'll integrate into the existing parking area for the Hana Ranch Store circular driveway, back out onto Mill Street, and access out onto Hana Highway, and, as well, there'll be a new driveway off of Hana Highway into the proposed development in the parking area.

A community meeting was held on August 5 to, again, explain the project, to get input and comments from the community. It was well attended by over 35 people. Information on the store was presented, and, basically, the purpose of the project is to bring a wider selection of goods and -- goods for the community; it would probably limit the need for individuals to go into Kahului for shopping for goods; hope to bring a wider selection of merchandise into the Hana region. The community indicated very strong support for a new store. I think there was a real felt need that a wider selection of goods would be welcomed in the Hana community. There was one person who did not want to see any change in Hana, and I think that that was really the only negative comment that I heard at that particular public meeting.

Some of the questions that were asked and the responses that were given at that meeting were what will happen to the old store, and, as I mentioned, the plans, at this particular time, are to just repair, provide necessary repairs to the store, re-roof, perhaps some new cladding were needed and repainting, as required, but no real definite plans have been established for uses. The area will be -- and as a commercial zoned area, so there's always a need for probably commercial uses, but no specific use has been identified.

The question was how many new jobs will be created, and, presently, the Hana Ranch Store employs about 12 full-time equivalent positions and with the renovations, there'll be approximately 6 new jobs added to the store employee complement.

In terms of how will traffic be controlled, it was explained that the new driveway off of Hana Highway will provide ingress and egress, that means it'll be an in and out full movements at the new driveway as well as movements and full movements that are presently existing along Mill Street. There will be a access onto Mill Street from this parking lot, which will be approximately at the same level as the existing commercial areas across the street, across Mill Street, and then an upper area, there will be a driveway extending from the new parking area up and around the existing parking area that is near the -- and servicing the existing Hana Ranch Store, and it will then, again, exit back out to Mill Street and exit onto Hana Highway.

Another question again, how long will it take for the new store to be built and before it's opened, and I think the construction estimate time, after permitting, will be about 12 months, so that's how long it would take to receive the permits, do the application for the building permit, have those approved, and then have construction started on the store.

Our project assessment focused -- we did all the environmental aspects, the physical, social economic, and public service parameters of the environment, but I would just like to focus on three, which I think are fairly important in this particular case. The first is an Archeological Inventory Survey was carried out for the site by Scientific Consultant Services and they did test excavation pits in this area where the new store will be built as well as where the new tile field will be sort of placed. Their inventory survey uncovered some I think there was post-history artifacts, which included bottles, some metal objects, and they were dated approximately post 1870. The inventory report was assessed and accepted by the State Department of Historic Preservation Division, SHPD, and they agreed and concurred that archeological monitoring during ground altering activities during construction will be appropriate mitigation for archeological and historic resources.

In terms of the drainage cause we always look at drainage because with the new parking area and the store, it will create an increase in water runoff onto this adjacent properties, the potential for impact on adjacent properties was viewed and assessed and, as Thorne had mentioned, the drainage improvements, there will be a retention basin at the lower portion of the site and that will -- that is designed to capture the additional runoff that will result from the increase in impervious surface and all the extra water that is created by this development will be retained so that there will be no impact to adjacent and downstream properties.

And, finally, I think what is important to note with this project is that, presently, there's no community sewer system in Hana. Existing wastewater is provided by either individual wastewater treatment systems or by cesspools. In this particular development, there will be an individual wastewater treatment developed with the project to treat the wastewater, it will be located in this particular area, and it includes a septic tank and a tile field or a leach field and all the effluent will be treated by septic tank, and then the extra wastewater will be percolated into the ground by the leach field. So I think it's a much more environmentally friendly system than what is existing now. So I think, overall, we felt that there will be an improvement by the project.

So that's, basically, our assessment of the project and if you have any questions, I'd be happy to answer questions either now or later.

Mr. Romain: Yes, I have just a couple of detailed questions. You said the old store is 5,000 square feet, how much of that is the actual store part, and I know there's office and storage too?

Mr. Hirano: Yes, I don't have the exact breakdown. Terry, who's the manager of store, perhaps can answer that, if you don't mind, I'll just --

Mr. Romain: Sure.

Mr. Terry Mynar: I'm Terry Mynar, Manager of Hana Ranch Store. The existing building is about 3600 square feet. We're using 1500 square feet in the purchasing warehouse for storage. The existing floor space in the store is about 2500 square feet.

Mr. Romain: Okay, and that was the second part of the question is then what is the floor, useful floor space of the new store, so if we had 3600, you're going to?

Mr. Hirano: Jim Niess, the project architect -- I stand corrected on the area, I'm sorry.

Mr. Jim Niess: Yeah, aloha, I'm Jim Niess, Maui Architectural Group. There will be about 8,000 square feet of retail; 2000 square feet of storage; about 400 square feet of office space in the new building.

Mr. Romain: So it's more than a doubling of the store size?

Mr. Niess: Yes.

Mr. Hirano: Yes.



Mr. Romain: Okay, thank you.

Mr. Hirano: Okay, thank you. Any other questions?

Ms. Shamblin: Any other questions?

Mr. Hirano: We'll get into the project details now with Jim Niess.

Mr. Niess: Thank you, Mich. As I said, Jim Niess from Maui Architectural Group, and it's a pleasure to be here this afternoon to present this project cause I'm really enthusiastic about what we're proposing here. Mich did a pretty good job, and Thorne, of presenting the site plan. I just wanted to add a few more details. I might as well do this sort of thing. This is the same aerial shot with the building laid into it so it gives you a feeling for just what we're proposing and where we're proposing it. The only thing I'd add to the discussion of the site plan is the fact that we're required by code to provide 31 parking stalls; we're actually going to provide 84 because we know there's a parking problem here midday and this will allow for staff parking away from the commercial center and free up parking here as well as on the other end. As Mich mentioned, we designed this keep the elevation the same as the town center's elevation so that we can create like a pedestrian walk between the two nodes, if you will, of the commercial once this project is developed.

This layer of parking is a little bit higher. As you recall, you know, Mill Road just climbs up here so there is some topographic change but that'll be handled with a little stairway here, and we'll have handicap parking. At any rate, I think it'll be a dramatic improvement over the way the town works today and especially with the third access will allow a significant improvement in the way vehicles flow through the property.

We did locate the parking behind the building, which is one of the design guideline issues, so that people driving down Hana Highway aren't going to be looking at a parking lot, so we put the entry on the mauka side and that protects it from the weather as well as being the right thing to do aesthetically from the highway.

Let me get into the building a little bit. The building itself is, maybe I'll bring this a little closer since it's kind of hard to see at that distance, as I said, the building's 10,000 square feet. This is the entry on the mauka side, it's a big covered area, and these are ohia posts, similar to the airport, to give it a little flavor and character, but this will all be covered, and you enter here, these are the checkout stands, we can provide a full deli along the back wall here, these are the beer coolers, which will double and triple in size too so -- this is the storage area in the back and -- basically, it's just a standard store layout with the shelving and whatnot, but we do have like the deli, as I mentioned, and a kitchen aspect in the corner down here. We're going to provide lanai seating on the makai side of the building,

again, it'll be partially covered and that's for the deli itself, and there are restrooms here, walk-in cooler functional aspects to the store itself. If you want more detail on what kind of items will be stocked, maybe Terry could address that.

I wanted to point out a few items that, design items, we have some of these computer renderings of the interior that kind of give you a feel for what we're trying to do, and we've created this monitor or clear story up above the roof, you can see there in the exterior elevations, to provide day lighting into the interior so we can reduce the energy consumption from lighting and provide the opportunity for natural ventilation in the upper portion of the store. These are all sustainable concepts that we're going to employ to keep the, obviously, the energy cost out here are tremendous, so we're doing the best we can to minimize. We'll use a heat recovery system where the cooling equipment, the heat that's taken out of the beer will create the hot water, so that's a technology that's become quite popular lately and it works quite well.

Mr. Hirano: Jim, can you just explain the two-story ...(inaudible)...

Mr. Niess: Yeah, no, it's a single-store building actually, there is a second-story loft office space for Terry, but it's small and in the back of the store with a observation window down below, so it is -- it's a tall building but, to get the proportion correct, it needed to be, and, style wise, I just call this Hana style. We're trying to just blend in, we're just trying to keep Hana Hana, and mimic the buildings at the Sea Ranch Cottage and in the town center itself. The exterior materials, wood siding and metal roofing, which we're all familiar with out here, and lava rock, and ohia posts, and paint it the plantation green again to, again, blend in. And landscape wise, we're blessed with the hotel's excellent maintenance staff, so I think this will be a beautifully landscaped and maintained project. The retention basin out near the highway will be a lawn, like you see out the window here, but it'll have a slight depression to it, and it'll just read as if it were a lawn.

Mr. Hirano: So this is the area.

Mr. Niess: But, basically, out signage will be simple and straightforward. The lighting will be down-lighting. We're trying to keep a low profile and just bring a new life to the commercial center of town. If you have any questions, I'd be happy to entertain them.

Ms. Shamblin: How much of aisle space you have within the store?

Mr. Niess: You mean between --

Ms. Shamblin: Between shelves and --

Mr. Niess: Well that's a great question. We went to the Mainland and studied 25 or 30 different stores with different aisle widths and whatnot. Right now, where are we, Terry, at four feet, four-and-a-half feet between --

Mr. Mynar: The store right now has between 32 and 36 inch aisles. The new store will have, depending, the main aisles between the gondolas will be of around 4 feet, the ones between the beer and the produce will be, because you have some doors that will open, will be in the range of 5 to 6 feet, so there'll be a lot more space. It certainly won't be the size of a Safeway or so where you got a little more, sometimes, of 5 feet and more between the aisles, but it will be enough for two grocery carts to fit back to back, to go past each other, other than what you have to do now, you have to back one away. It's a good compromise, it's for the size of the store, and for the customer convenience.

Ms. Shamblin: The second question is I'm looking at this map here and I'm seeing three cash out counters, cashier counters.

Mr. Niess: Yeah, that's right. The drawing shows, well, this drawing shows four, we'll probably have four, and, you know, will it be -- when it's crowded, perhaps all the stations will be used; when it's not crowded, one or two.

Mr. Mynar: And there will be one at the deli area also.

Ms. Shamblin: Oh, so -- okay.

Mr. Niess: Yeah.

Mr. Omer: What is the height?

Mr. Niess: Dan, the height will be about 28 feet, 28 feet from top to bottom, 29 feet, somewhere in there.

Mr. Romain: I know earlier you were saying on the -- you're going to use the existing driveway that leads up by the post office, and we park adjacent from it, there's -- this might be a good time to rethink the marking of that because that's a funny intersection for people that aren't familiar with it; sometimes people try and turn left and they go into the wrong lane and that -- I mean it's wide enough but maybe it needs to be a little more clarified.

Mr. Niess: That's a good point, and it will be clarified because we have -- we have the cart path, again, will still be there, and our new driveway, along with the existing roadway, they all come together in that spot, so it does have to be reconsidered and rethought and made

safe, safe especially, and we'll -- there will be speed humps, there are already, but they serve a dual-function out here for drainage as well so --

Ms. Helekahi-Burns: I have a question. The new entrance on the Paia side of the whole project, is that both ways and then out of the new store?

Mr. Niess: That's right, two-way traffic.

Ms. Helekahi-Burns: Two-way traffic. Thank you.

Mr. Niess: Yeah. Yeah, don't wanna get too confused out here so everything -- that's how the main trucks will come in to do the loading as well so it'll be more of a functional entry, but anybody can use it.

Ms. Helekahi-Burns: So, another question, sorry, aunty.

Ms. Shamblin: Go ahead.

Ms. Helekahi-Burns: The police officer who had written and stated that there -- he didn't see any kind of problem with the traffic, did he really consider this opening, this entrance also? Did he also consider this entrance --

Mr. Niess: Yeah.

Ms. Helekahi-Burns: And whether or not the flow of traffic will be congested and that --

Mr. Hirano: The project traffic report was sent to all the agencies, including the Maui Police Department, and so they have to come back and ...(inaudible)...

Ms. Helekahi-Burns: And the reason why I ask that question cause, in the drawing right here, it doesn't show the flow of traffic --

Mr. Niess: Yeah, right.

Ms. Helekahi-Burns: You know, and that's just the problem that he probably, like me, I didn't really see whether or not it was -- the flow of traffic was both ways. And also, using this as a loading zone, at any point will this entrance be closed for a certain time of the day?

Mr. Niess: I don't anticipate that because, as you can see, the loading zone is actually off on the side here so --

Ms. Helekahi-Burns: Yeah, so there is a good amount of space in the loading zone where the whole truck will be out of the way and won't congest the traffic there?

Mr. Niess: That's correct.

Ms. Helekahi-Burns: Okay, thank you.

Mr. Hirano: The Maui County Code requires commercial areas to have loading zones, so many square feet, so that there would still be traffic flow.

Ms. Helekahi-Burns: Okay, thank you.

Ms. Shamblin: Correct if I'm wrong, that parking area, just below the warehouse, is that a leveled parking?

Mr. Niess: Pardon me?

Ms. Shamblin: Is that like a leveled parking? Is that parking up on top and then a terraced parking, I'm sorry?

Mr. Niess: Yeah, exactly.

Mr. Hirano: There's a difference in height.

Mr. Niess: Yeah, there's about three-and-a-half or four feet between these two levels because the hill comes down pretty steep right here so --

Ms. Shamblin: Correct.

Mr. Hirano: So there's some stairs right here to go from this level to this level.

Ms. Shamblin: Okay, you see this driveway that's going behind of the store, right, correct? Does that driveway continue on up and go up above?

Mr. Niess: Or, yeah, or like this and it's climbing here and climbing up.

Ms. Shamblin: Oh, okay. Okay, got it.

Mr. Niess: The thing that disappears is the existing access to the existing store but we're going to keep the tree in there because I eat lunch there sometimes. I like that tree.

Ms. Shamblin: But you're going to shut that off? That entrance?

Mr. Nies: Yeah, we'll take the roadway out but --

Ms. Shamblin: Yeah, okay. Okay. Okay, got it. Any other questions?

Ms. Helekahi-Burns: One more question. I realize that you said according to the standards, you're required to put in 30 something parking stalls and you way doubled it with 80 something stalls, is these stalls also considering the overflow of the post office parking also, like will these stalls only be for those who are patrons of the Hana Store or will those who are going to the post office be able to use these parking stalls also being that it's more than the kind?

Mr. Niess: Yeah, the intention is it's just a wide open parking lot so --

Mr. Hirano: ...(inaudible)... one to the other ...(inaudible)...

Ms. Helekahi-Burns: Okay, so it won't be, what is that, constricted to just those who are going to the store?

Mr. Niess: Yeah, exactly.

Ms. Helekahi-Burns: It will be for the overflow of the post office also.

Ms. Shamblin: Okay, if there's no other questions, then we'll go to public testimony. Yeah, I need to remind the public that we're going to lose quorum at 5:30 so if we can go ahead with public testimonies. When we start, just state your name.

**a. Public Hearing**

Mr. Victor Sinenci: I like talk so I can go. My name is Victor Sinenci and I was born and raised here, and since we're talking about the traffic flow, we didn't address the in and out near the existing Hana Store, going into the Millyard Road, the intentions of that being a one-way or two-way traffic cause that could be a problem cause, right now, presently, it's a one-way, yeah? You know, coming up the old Hana Store? Yeah.

Mr. Niess: ...(inaudible)...

Mr. Sinenci: No, it's only one-way.

Mr. Niess: Yeah, Victor, I know what you mean, you mean the entry, the little slant road that goes up the hill?

Mr. Sinenci: The exit on the existing Hana Store.

Mr. Niess: Oh, yeah, yeah, I see what you mean. Well, it's designed to be two-way, everything --

Mr. Hirano: You're talking about this area?

Mr. Sinenci: Yes. Yeah. The intention is to make it both ways?

Mr. Niess: Right.

Mr. Sinenci: In and out?

Mr. Niess: That's right. Just to keep more options open and keep it from getting confused.

Mr. Hirano: I'd just like to add that during the review or during the building permit, the detailed plans of the -- of the store will then, during building permit, be reviewed by all the County agencies again: Fire Department, Police Department, the Public Works especially, and they'll be looking at all those details to make sure that there's enough distance between, you know, the travel lanes for full movements and safety, so these plans is what we would call conceptual, and then the detailed drawings get prepared after it gets approved, and then those are again reviewed by the County agencies and all those details are looked at at that time as well.

Mr. Sinenci: The other note that, Jim, you had mentioned there was going to be 84 stalls total, is that some for buses as well or just for standard cars?

Mr. Niess: That's a good question. We haven't really thought through how the buses are going to access the store and the deli, and that's something that probably has to be negotiated with the bus companies, but there is ample space to take the visitor buses that come down the highway cause they're not very big.

Mr. Sinenci: Okay, thank you.

Ms. Shamblin: Any other testimonies? Seeing none, then we'll close that portion and we'll go into a discussion.

Mr. Yoshida: Is that the presentation of the staff recommendation?

**b. Action**

Mr. Abbott: Thank you, Chair, and I apologize, earlier I hadn't introduced the consultant is Mich Hirano from Munekiyo and Hiraga. The Planning Department found this to be a very favorable project. We had 14 standard conditions and then, I believe, 8 project specific conditions, let me validate that. Basically, most of the conditions are very standardized, the only two that were really of any significant nature was the easement for the existing waterline, and that if they do any excavation near the artifact trash pit that they had found, that they stop and contact the State Historic Preservation Division if they would find any artifacts, and they have a monitoring plan that's already been adopted by SHPD. So it was 10 standard conditions and 11 project specific conditions, and we'd recommend approval. Thank you.

Ms. Shamblin: You want to, yeah, make a motion to accept the recommendation.

Mr. Romain: I'd like to make a motion that we accept or recommend acceptance of the SMA permit application.

Ms. Helekahi-Burns: Can you repeat that? What was the motion?

Mr. Romain: The motion is that we approve the request for the SMA permit, which is my understanding what this is or recommend, yeah, propose that we send a recommendation to approve the SMA permit application and to accept the recommendations as attached.

Ms. Shamblin: Okay, second to the recommendations.

Mr. Omer: I'll second it.

Ms. Shamblin: Dan Omer second. Discussion? None?

Mr. Romain: Well I just -- I think it's a needed improvement and I think it's well thought through and very attractive, and I think it will benefit all of us.

Ms. Helekahi-Burns: I have just a remark to say. I was very -- I had a hard time pretty much accepting this proposal but, from reading this letter, I was very reassured, you know, that we have to consider the economy of Hana. You know, I understand that the people of Hana, a lot of them are employed by the Hotel Hana Maui, and that the store has been the self-sustainability for the whole entity itself. And today, I came to accept that this is for the betterment of Hana, a lot of the reasons that had came up, you know, was things that I haven't really thought about, but, from the last meeting to when we had set the date for this public hearing, I have really been trying to consider why should I accept this proposal.



I am one who have a hard time to see Hana change and, first of all, the economy of Hana is pretty much in the hand of the hotel, there's a lot of people in Hana who is employed by the hotel, most of them of which I know personally, and I see that this will be a good -- good change for Hana and not, at the same time, compromising what Hana is all about. So I come to make a motion, if the discussion is over, to accept the proposal for the SMA for the new Hana Store and for the renovation of the existing Hana Store.

Ms. Shamblin: We're going to vote on the recommendation.

There being no further discussion, the motion was put to a vote.

**It has been moved by Mr. Romain, seconded by Mr. Omer, then**

**VOTED: to send a recommendation to approve the SMA permit application and to accept the recommendations of the Planning Department.**

**(Assenting: B. N. Shamblin; J. Romain; D. Omer; F. S. Helekahi-Burns)**

**(Absent: K. Kanakaole; M. Oliveira-Medeiros; F. Tolentino)**

Ms. Shamblin: Motion carried. Okay, we'll move on Item E, Director's Report.

## **E. DIRECTOR'S REPORT**

### **1. Scheduling of Public Hearing date for the following applications:**

**HANA COMMUNITY HEALTH CENTER, INC. requesting a State Land Use District Boundary Reclassification from State Agricultural District to State Urban District and a Change in Zoning from the Interim District to the P-1 Public/Quasi-Public District for the Hana Community Health and Wellness Village at 4590 Hana Highway, TMK: 1-4-003:022 and 024, Hana, Island of Maui. (DBA 2003/0003) (CIZ 2003/0004) (J. Alueta)**

Mr. Yoshida: Thank you, Madam Chair, members of the Committee. We have before you several applications from the Hana Community Health Center, Inc. One is for a State Land Use Boundary Reclassification from State Agricultural District to the State Urban District, and the second application is for a zoning change from the Interim District to the Public/Quasi-Public District for the Hana Community Health and Wellness Village project here in Hana, located along Hana Highway. I guess this, in sort of following the public, well, meetings on this matter, this seems to be a fairly contentious matter in the Hana

community and we're trying to schedule a public hearing date for these applications. We're looking at the earliest, possibly, early March to mid-March. Well, I guess we have four of the members here but we're trying to decide like on a day of the week is Thursday a good day for you folks. Tuesdays are bad days for us because we have either Maui Planning Commission or Maui County Urban Design Review Board. And Wednesdays, when the Council starts, the committees start to meet, we understand that the Land Use Committee, where most of the permit applications go to, Chaired by Robert Carroll from Hana, will be meeting on Wednesday mornings. So I guess the date that we might suggest would be March 17, if that's a possibility.

Ms. Shamblin: Is that a Tuesday? Thursday?

Mr. Yoshida: It's, I believe, it's a Thursday.

Ms. Shamblin: Thursday?

Mr. Yoshida: Yes. Or it's up to the commission, you know, once we get, well, the 25<sup>th</sup> is Good Friday, well, Kuhio Day, I guess, combined. You know, I'm not sure if say the 10<sup>th</sup> wouldn't --

Mr. Omer: I can't the 17<sup>th</sup>. I'll be going to the Mainland.

Mr. Yoshida: Oh, you're going to the Mainland. Or the --

Ms. Shamblin: 17<sup>th</sup> or towards the middle part of March; the ending of March is going to be hard because Hana have events, ending March-beginning April, Taro Fest, canoe regatta, and that kinda stuff that begins to happen.

Mr. Yoshida: Oh, I see. So you couldn't make the 17<sup>th</sup> will be difficult. The 10<sup>th</sup> will be difficult. Yeah.

Mr. Romain: The 10<sup>th</sup> seems to be okay ...(inaudible)...

Mr. Yoshida: The 10<sup>th</sup> seems to be okay. Is that okay with everyone? The 10<sup>th</sup>? Then I was thinking about the place because this hall holds only so many people. I don't know what the community interest is on this particular item. I just kinda watched on Akaku and the Governor's Advisory Committee, Maui Advisory Committee came to Hana and talked about this project. It seemed to be pretty full in this room. I don't know if we need to have a facility with a greater sitting capacity or do you feel that this is a proper meeting place given the community interest in the project?

Ms. Shamblin: Yeah, the Helene Hall would be, I think, a better place.

Mr. Yoshida: Well, I guess, I don't know, we've -- I guess the problem with Helene Hall for us sometimes is the acoustics because it has that high ceiling and we've had problems in trying -- for the secretary to transcribe minutes because, I don't know, acoustical problems.

Mr. Romain: ...(inaudible)...

Ms. Helekahi-Burns: Maybe the school cafeteria, the new school cafeteria?

Ms. Eason: ...(inaudible)... the library conference room would be better.

Ms. Helekahi-Burns: Would be better?

Ms. Eason: ...(inaudible)...

Mr. Yoshida: Okay, so March 10 at the school cafeteria if we can obtain it.

Ms. Eason: The school library.

Mr. Yoshida: The school library.

Ms. Eason: ...(inaudible)... the library.

Mr. Yoshida: The library.

Ms. Shamblin: I know if we're going to discuss anything regarding the Community Health Center, you're going to get public, a lot of public --

Ms. Eason: ...(inaudible)...

Mr. Yoshida: Okay, so March 10. Do you folks wanna start at the same time 4:00 or you wanna start earlier or --

Ms. Shamblin: It really doesn't matter to me. It's you guys who has to come from outside that you think --

Ms. Helekahi-Burns: What time you like go home?

Ms. Shamblin: Yeah.

Mr. Yoshida: Well, I mean we're --

Ms. Helekahi-Burns: You like go home early or late?

Mr. Yoshida: You know, amenable. We just don't want to go home at midnight or whatever. I don't know.

Ms. Helekahi-Burns: ...(inaudible)...

Mr. Yoshida: I mean I don't know if the room will be packed with people wanting to testify on this matter. I kinda sense it's a hot issue in the community. There's a lot of interest in it. Okay, so we'll -- so we want to start at the same time, 4:00, on March 10? Okay. The other item that we'll report is relative to the minutes on Page 4 when board member Oliveira-Medeiros asked about the Paihi Bridge and the consultation with the Cashman family. In talking to the Public Works Department Engineering Division, that they're completing the erosion control study for the Paihi Bridge project and they feel that within the next two months, they'll be talking to the -- Mrs. Cashman and her family about the concerns raised by Mrs. Cashman at the Hana Advisory Committee meeting. And that's all we have to report. Oh, the other thing we have to report is, possibly, we have two other Hana applications, Hana region applications that we need to schedule. For some reason, it's real busy, busier then it has been in past years with Hana region applications, but we're not ready, quite ready to schedule them at this time, but we will be having more frequent meetings then one a year, certainly. With that, that's all we have to report, Madam Chair.

Mr. Giroux: I just want to make a quick comment just on a point of order, just for everybody's information. When we have public hearing, in order to keep a little control because next time we meet, it's probably going to get a little more crazy, and so we've had two meetings already so we kinda felt our way through. I know this forum is not really a traditional forum in the sense that when we usually go to public meetings, there is a question/answer dialogue that goes on, but in the SMA context, the way the rules are set out is when the public does testify, they are doing that, testifying, so they really are not supposed to be asking us questions or asking the applicant questions, but they really need to be giving their opinions about the project. As the board or as the advisory commission, in order to be responsive to that, what we can do is if that question does ring, you know, true to something that you're feeling, you write it down, and you take note of that question or that aspect of the project that's giving the public a problem, and then you are allowed to ask the applicant these questions, and then they'll respond because if -- it's not fair for the applicant to have to respond to 30 people's questions and not be able to have some order or semblance because when he's responding to a question, somebody else will pose another question or -- and then that's not really fair for the applicant to not be able to respond in an orderly fashion. So as the commission, really take heart, during the

testimony we want people, as quickly as possible, to give, you know, what their problems are with the project, but we want to get through that and then when we get to the end of that, we take that information and, as the commission, we transfer it, we ask the questions and to get to the answers. The community doesn't get to grill the applicant unless they are going to formally do a petition to intervene and then, at that point, they would actually have the standing to actually start grilling them with questions because then they would have a hearings officer who would mediate that confrontation. In this forum, the applicant doesn't have that protection so we have to make sure that we get the community's input, we get to know what their issues are with the project, and then we, as a commission, can interrogate the applicant and really get to the bottom of it because then there can be a dialogue between the commission and the applicant, and not the applicant have to defend themselves against the community. So I think just for a heads up because things might get crazy next -- at the next meeting, we just have to try to keep order and fairness to everybody so --

Ms. Helekahi-Burns: I just wanted to know so after the public hearing testimony, then we have a discussion?

Mr. Giroux: Yes.

Ms. Helekahi-Burns: Discussion time is when the advisory council is able to take all the information from the public opinions and ask the applicants?

Mr. Giroux: Yes.

Ms. Helekahi-Burns: Okay.

Mr. Giroux: And the beauty about that is then you are also allowed to ask the commissioners, you know, about, you know, because it is discussion, you are discussing those issues so, at that time, because of the SMA process, the focus is supposed to be about the environment and social and economic issues that this project might create. The part of that also is to find mitigating factors that you can suggest to the applicant, at that time, because the SMA law doesn't allow us to just not give somebody a permit because we don't like the project, but if we can zero in on something that it'll really impact the, you know, like a view plain, it'll block vistas or it'll cause destruction to the eco system or things like that where there's real problems to the coastal zone management area, a degradation in the environment, then part of our job before we can say we don't want the project, we have to give the applicant some options of, you know, if it's sewer going into the ocean, we have to say, well, you have to come up with a system to catch that before it gets to the ocean, or if it's a view that's being blocked, we have to say, well, if there's an option of you turning your building or smashing it down or breaking it up so it's not just a mass, those are

mitigating conditions that, as a commission, you can put on the applicant in order to try to help mitigate any impact that that project will have on the environment. So that's kind of the process where the commissioners can go back and forth to try to see if they can come up with something that will better the project.

Ms. Helekahi-Burns: I wish you told us that before we had accepted the last proposal.

Mr. Giroux: Well, it's a learning process so we're all going to get better at this as the year goes by so --

Ms. Shamblin: I had that written down to talk with you about how the public can come when it's testimony time to an area, you know, they can walk up instead we passing the mikes all around then, you know, I know that the question is being, you know, asked to me and not asked to the applicant.

Mr. Giroux: What we can do next, at the next meeting is make sure we do have a podium or a table where we will ask the testifier to come, state his name, give him three minutes, if he wants more time, he has to wait till everybody else has a turn to get another three minutes, and then that way we can -- we'll know on the record who the person was and what their concern was, and then if that person didn't, you know, couldn't state his concern within the three minutes, he'd have an opportunity at the end of the meeting before we get into our discussion. And once we start discussion, there shouldn't be interruption from the public at that point. They should allow us -- they don't have a right to then start asking us, the commission, questions. It's, at that point, we know what their concern is, and then it's up to the commission to come up with a decision. Okay?

Ms. Helekahi-Burns: I get one more question before the next meeting. I understand that Aunty sits on the, she sits on the --

Ms. Shamblin: Board.

Ms. Helekahi-Burns: The board for the next -- for the HCHC and as a board member, will that be -- that will be a conflict of interest for her to run the meeting or can she run the meeting although she's a board member for the next HCHC? Because if she cannot, then I think it's only right that we let Kauai know that she's going to be running the meeting and that's like just giving her a heads up and to go and read the book of rogers and whatever, but let her know, you know, you running the meeting girl, thank goodness you wasn't here today. But just to straighten that out for our next hearing to see whether or not the kind if there will be a conflict of interest for her.

Mr. Giroux: What you can do is give her the heads up that this issue is out there that she should prepare for that and I'll talk to Aunty in private about whether -- what decision she has to make regarding either just disclosing or if it's to the point of where she can't vote, so I'll talk with her about that off the record.

Mr. Romain: Also, I think all of us should encourage all the members, if there ever was a meeting that we need all the votes and voices, I think -- I don't want to be one of just four that have to make such a big decision.

Ms. Shamblin: This meeting is adjourned.

#### **F. ADJOURNMENT**

There being no further business brought before the Committee, the meeting was adjourned at 5:20 p.m.

Respectfully submitted by,

SUZETTE ESMERALDA  
Secretary to Boards and Commissions I

#### **RECORD OF ATTENDANCE**

##### **Present**

B. Nalani Shamblin, Chairperson  
John Romain  
Daniel Omer  
Fawn Sherie Helekahi-Burns

##### **Absent**

Kaui Kanakaole  
Mavis Oliveira-Medeiros  
Francine Tolentino

##### **Others**

Clayton Yoshida, Planning Staff  
Thorne Abbott, Planning Staff  
James Giroux, Deputy Corporation Counsel