

**MAUI REDEVELOPMENT AGENCY
REGULAR MEETING
NOVEMBER 17, 2017**

A. CALL TO ORDER

The regular meeting of the Maui Redevelopment Agency (Agency) was called to order by Ms. Carol Ball, Chair, at approximately 1:03 p.m., Friday, November 17, 2017, in the Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

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

Ms. Carol Ball: I'd like to call the meeting of the Maui Redevelopment Agency to order. Is there any public testimony? I guess not.

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. Maximum time limits of at least three minutes may be established on individual testimony by the Agency. More information on oral and written testimony can be found below.

C. APPROVAL OF THE JULY 28, 2017, AUGUST 25, 2017 and SEPTEMBER 22, 2017 MEETING MINUTES (Transmitted to members via e-mail)

Ms. Ball: The approval of the minutes. Everyone has received the assorted minutes. May I hear a motion to approve please? Yes?

Mr. Jonathan Starr: Before we do that. One of --. I don't usually like to bother correcting unsubstantive, unsubstantive stuffs in the minutes, but there was something, something got weird on one of the minutes and I just wanted to be sure that it didn't reflect any kind of derogatory political opinions or anything like that, it gets misunderstood.

Ms. Ball: Alright.

Mr. Starr: And that was the August 25th minutes, on page 6. And I'm not sure there was --. I don't quite remember what was happening or what the thing was but there was stuff about Michael Goat, but there was also mention, mention of the Mayor and Council and stuff. I don't know, I kind of read it and it felt like something got, something got messed up.

Ms. Erin Wade: Are you asking --

Mr. Frank De Rego, Jr.: Oh, yeah. I asked for that quote to be excised simply because I didn't think you didn't give enough credit for the Council as well and it was in our report. But

I think that's my remembrance of that. So it wasn't a political thing, it was just a matter of balance. So it was a quote in our annual report. It said it kind of just focused on the Mayor. There was no other quote from the Council as well about the project and that's was my reasoning behind it. So it was nothing against the Mayor. I think it even says that in the minutes.

Ms. Wade: Right.

Mr. De Rego, Jr.: You know, it's a matter of balance that the Council has also been a big supporter of our moving forward with the project.

Ms. Wade: Definitely.

Mr. De Rego, Jr.: It was nothing. It was just more of a cosmetic thing on the annual report. So it's fine if we praise the Mayor, but we should also have a quote about the Council just to balance things out.

Mr. Starr: But I think it was though...that he's being called out and I, I think that wasn't a negative --. He was being mentioned. I would say maybe called out should be replaced by mentioned.

Mr. De Rego, Jr.: Mentioned, yeah.

Mr. Starr: And I think that fix it. That fixes it.

Ms. Wade: Okay.

Ms. Ball: Alright. Do we just correct the minutes in that respect?

Mr. Michael Hopper: Well, I mean, if that's actually what was said, it's an accurate quote, it's got to remain that way in the minutes. I mean, you can, you can discuss -- you can clarify which if you, you know, meant something different especially if that topic comes up again and you can do that if you're just talking about it, but I don't think we can actually change the minutes. But if you wanted to discuss that and just say here's what I meant instead. As long as it accurately reflects what you said though I don't think we can actually change that, but if you want to make that clarification that's not a problem. It just wouldn't actually amend the minutes to read differently.

Mr. Starr: Okay, if those were the actual words, we'd leave it. . . (inaudible) . . .

Mr. De Rego, Jr.: No, but it's Michael Goat's.

Ms. Ball: Thank you.

Mr. Hopper: I don't recall either.

Ms. Ball: Are you fine with that?

Mr. De Rego, Jr.: Yeah.

Ms. Ball: Thank you. Let's move on. Can I hear then a motion to approve the minutes?

Ms. Gwen Hiraga: Move to approve. Can we take it all, all three or --

Mr. De Rego, Jr.: All three or --?

Mr. Hopper: Yeah, if there's not a concern separately you could have one motion to approve all three. Unless there's -- if there's issues of each one, you may want to take them in separate motions, but you can blankly approval all three. I don't see a problem.

Mr. De Rego, Jr.: I second.

Ms. Ball: It's been moved and seconded that all three minutes be approved -- July 28th, August 25th, and September 22nd -- all those in favor say aye? All those opposed? Motion carries.

It was moved by Ms. Gwen Hiraga, seconded by Mr. Frank De Rego, Jr., then unanimously

VOTED: to approve the July 28, 2017, August 25, 2017 and September 22, 2017 meeting minutes as presented.

(Assenting: F. De Rego, Jr., G. Hiraga, J. Starr)

(Excused: A. Lindsey)

D. PUBLIC HEARING

- 1. Les Young, representing T-Mobile West LLC requesting an MRA Use Permit to modify the existing rooftop telecommunications site located at 2200 Main Street (One Main Plaza) in Wailuku, Maui, TMK: (2) 3-4-014:007 (MRA 2017/0003).**

Ms. Ball: Item...Item D, public hearing. Erin?

Ms. Wade: Thank you Chair. We have one public hearing today, the T-Mobile West represented by Les Young is here to request an MRA Use Permit for modifications to an existing telecommunications facility, again, on the roof top of One Main Plaza, located at 2200 Main Street, Wailuku. And Les is here to explain what the rest of the project entails. Feel free to come on up.

Mr. Les Young: Thank you Chair and members of the commission. My name is Les Young. I am a contracted to T-Mobile. I am not an employee of T-Mobile. They engage my services to assist them in a number of land use and leasing matters throughout Oahu as well as the other neighbor islands.

Today, I'd like to present and then answer questions about T-Mobile's proposal which involves basically swapping out and relocating nine antennas that are currently on top of One Main Plaza. The owner of the building has asked us to remove the antennas from the pipe mounts that currently supports the enclosure that's on the roof top. The reason for that is the base of the pipe mounts have begun to corrode and rust and he wants to make sure that steps are taken to prevent the pipes from breaking. So T-Mobile will be fixing all of the rusted pipes and probably replacing them. And also removing the antennas so that they will no longer be mounted on those pipes, but rather placed on the roof top on what we call sleds. And they're also right now sleds that are being used by Verizon and Sprint for the antennas that they have on the roof top.

There are nine antennas there now, nine will still be the count so there will be no change. We'll be adding three remote radio units which are smaller. They're about maybe one and half times the size of this lap top. They're placed underneath the antennas and they kind of give the antennas a little bit of "ump". It's like putting some steroids into the antennas. They're placed behind and below, and those will also be placed on the sleds. There will be no expansions of the rooftop in terms of leased area. There will be no additional utility uses or services that will be required. T-Mobile basically is looking for approval to allow them to do the swap as well as to place them onto sleds by removing them from the pipe mounts that currently support the enclosed area.

That's pretty much the real brief description of what T-Mobile plans to do, or proposes to do.

Ms. Ball: Thank you. Any questions? Mr. Starr?

Mr. Starr: Yes, with the added power, the increase in power that's going to be radiated, have you or has your client done a study to see what the radiation level will be at the nearest public, public access point whether that's the sidewalk or any public space on it on an adjoining building?

Mr. Young: Yes, prior to...prior to the scheduling of this meeting, I had discussion with Evelyn, one of the prior planners, and she mentioned that it would be to our benefit to prepare such a report. So an EME study has been prepared. Studies were taken or measurements were taken at approximately 82 points around the building. The FCC has certain guidelines in terms of the thresholds below which we must operate, and there are two types of standards that are used. One is occupational and one is to be used for the general public.

Just to give you an idea, for the general public the maximum and it's -- actually the maximum occurs just once and then there are a number of percentages much lower than that. The maximum exposure is right in front of the main door and that's at 3.315%. The occupational

maximum that appears again in that area is less than 1%, it's 0.663%. The percentages --

Mr. Starr: Percent of what?

Mr. Young: 100.

Mr. Starr: What's a 100% represent?

Mr. Young: 100%. Well, qualify myself first. I'm not an engineer and I'm not the one who prepared the study. The FCC prepares thresholds above which we should not be operating, below which we should be operating, and we have used 100% as that threshold. So we operate or the facilities right here operates at 3.315% of that threshold for the study that is used or the gage that is used for the general public. And less than 1% for the gage that's used for occupational users, such as those who work on the building, those who are familiar with telecom because --

Mr. Starr: So 3% of the allowable --

Mr. Young: Yes.

Mr. Starr: -- maximum?

Mr. Young: Exposure. That's correct. And I have the report here in case anybody would like to look at it, and I'll leave it with Erin for the, for the record.

Mr. Starr: Okay, that -- so that can be attached to the, to the record for this?

Mr. Young: Yes.

Mr. Starr: Okay. Thank you.

Mr. Young: And Corp, Corp Counsel may also, if he feels necessary add in what the FCC allows or does not allow with regard to health issues in terms of determinations with regard to zoning.

Ms. Ball: Alright, thank you. Anybody else? Gwen? Frank?

Ms. Hiraga: Yeah, I have a question. According to your application you mentioned that, you know, construction -- I know this is pretty standard -- that construction will --. Well, T-Mobile will start construction upon receipt of all required permits, approvals and permits. So what other permits are you --?

Mr. Young: Building permit.

Ms. Hiraga: And anything else?

Mr. Young: That should be it other than the permit that we are here this afternoon for. I believe the only other required permit would be building. Building and electrical.

Ms. Hiraga: And that ties into your construction time period because --

Mr. Young: No.

Ms. Hiraga: -- you said, your application mentioned about being operational or wanting to get it in by the end of December, and it's already . . . (inaudible) . . .

Mr. Young: Yeah, that, that was our goal, but we will wait until the building permit has been issued which is, the approval of which is tied into the decision this afternoon here. Yeah, so we had a fairly ambitious target. We know that's not realistic at this point in time, but we'll do our best to meet it as close as we can.

Ms. Hiraga: So, then yeah, because we're already into the fourth quarter of 2017 so that's not going to happen, right?

Mr. Young: We'd like it to, but we don't think so.

Ms. Hiraga: Okay.

Mr. Young: Yes.

Ms. Ball: Anyone else? Thank you.

Mr. Young: Thank you.

Ms. Ball: Do we do anything?

Ms. Wade: Yes, thank you. So staff has provided you with a report. Evelyn Aako sadly has no longer with the department. She has moved on to exciting things. But we've provided you with the report with the recommendation to approve. The recommendation includes...four standard conditions for your consideration.

Mr. Starr: I believe Gwen has a question, and then I'd be ready to make a motion.

Ms. Ball: Alright.

Ms. Hiraga: So this report was prepared by Evelyn who is no longer with the department?

Ms. Wade: Correct.

Ms. Hiraga: Maybe you can answer. On page 4 of the analysis, the Wailuku-Kahului

Community Plan, it says that “although cellular antennas are not specifically discussed in the Wailuku-Kahului Community Plan, the proposed project is consistent with the overall goals - overall goals and policies in the plans.” So what are these?

Ms. Wade: Which overall goals and policies is it consistent with?

Ms. Hiraga: Yes.

Ms. Wade: Probably that should say it is not inconsistent with the overall goals and policies of the plan. I don't think there is any specific policies in the Wailuku-Kahului Community Plan relating to cell tower service, or cell equipment service.

Ms. Hiraga: Now my second question...is, is the next section dealing with Wailuku Redevelopment Area Design Guidelines, and this is not for the applicant, it's just a question that I have for the department. It says that “the design guidelines were not written to address equipment facilities such as telecommunication facilities.” So question to the department really is, is the department looking at addressing telecommunication facilities in the Wailuku Redevelopment Area Guidelines or is this a unique --? I don't know how many facilities we actually have in, in the Wailuku area.

Ms. Wade: Right. There are two existing co-location facilities in the redevelopment area. One is this one and that's why we keep seeing it again and again. The other one is on Main behind the old Maui Dry Good's building. It's sort of a vertical stanchion; it's connected to that. And we've seen applications for both of those. At least while I've been staffing.

In the past there have been requests to paint it the color, something that blends with the sky. The issue has been it really depends on what angle you're looking at the facility from to try to match the sky. Because if you're looking mauka, you're actually looking at the backdrop of lao, and if you're looking makai, you're looking towards the ocean, so it's a real challenge. And while those -- I think she probably put this in here because she did review the past examples of approved telecommunication facilities where in some cases this was a request. However I don't think that --. It hasn't come up to suggest amending the design guidelines to paint.

Ms. Hiraga: And if there's such a limited number of facilities, I don't know that we need it but...that's just a question whether it would be looked at to update.

Ms. Wade: Yeah. I can put that on the list of --. Because I mean frankly we've talked about eliminating the design guidelines and incorporating some of it into the zoning so I think we can address it at that time.

Ms. Hiraga: And I didn't know if I should bring it later or at this point. Okay.

Ms. Wade: No, that's good. Thank you.

Ms. Ball: Alright, thank you. Jonathan?

Mr. Starr: Yeah, I had a similar...comment. Some years ago while I was on the Maui Planning Commission, we, we had dealt with a number of these and we had created a standard, a standard wording that would end up as a recommendation for any radio facilities that could conceivably affect the public. And I don't know if the department is still using those or not. It would seem that -- it would make sense for that to be a recommendation that analysis and certification be presented that emissions are safely below...either the administrative requirement or recommendation for public areas.

Ms. Wade: Mike, did you want to comment on that?

Mr. Hopper: Well, I don't know of the background of what conditions were there. If there are conditions you want to look at, I mean, you could look at it specifically. It does seem that, you know, that's not a standard department form that's being used for all of these. It's theoretically possible for the County to adopt not just for Wailuku area but all of County zoning an issue dealing with cell towers. Because they're pretty unique because of the Federal regulations surrounding them. The County is pre-empted in its zoning to some extent and to some extent the Federal government has left substantial amount of discretion to the County. But it's definitely more limited than your typical zoning application.

For instance there's a section of the communications act that says that:

"No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the commissions regulations concerning such emissions."

So it's basically saying that if they meet FCC emissions that's acceptable. Now I don't see a problem with the MRA or other boards asking for...you know that, that compliance level was been met because that is the federal requirement. I think, I think that's saying that you can't deny it...you generally couldn't deny it or make a decision based on the fact that you, that the board or commission would believe that those standards are not adequate and should be more strict. And I think the FCC is basically saying, no we're going to use our standard. But I don't think information relating to that or you know proof that those requirements are being met is something that, that boards and commissions cannot ask for. I think that's something that they can ask for. But the standards are going to be at the FCC level for, for those types of applications. So I think, you know, a requirement that they meet FCC requirements for the type of facility are, are fine. I think that that's consistent with this law. But going beyond that it does sound like the County would be preempted in looking at that.

Mr. Starr: Yeah, I think that's what -- that's what I'm asking for. And here we're presented at the 3% of the, of the allowable which obviously is fine.

Mr. Hopper: I mean, if you wanted to make that, that report part of the record like you had said, I don't think that's a problem. And so that if someone looked back at this application that would be included with it.

Ms. Wade: So could I suggest then that perhaps a condition be added to say that the project must meet FCC requirements for radio frequency exposure and the applicant's report of such shall be attached.

Mr. Starr: Yeah.

Mr. Hopper: I would say applicable FCC requirements.

Ms. Wade: Applicable.

Mr. Hopper: Because there's different requirements so you should be clear of the ones that would apply to this case.

Mr. Starr: Yeah and that would, you know, if we had more of them it would make sense for that to be...a recommendation.

Ms. Ball: Okay.

Ms. Wade: So now the, the department's recommendation includes the four original conditions plus the fifth condition: Project must meet applicable FCC requirements for the radio frequency exposure. The report as such shall be attached to the file.

Mr. Starr: So we need a motion?

Mr. De Rego, Jr.: Do we need to --?

Ms. Ball: Yes please.

Mr. Starr: I move to approve the...the use permit as recommended by MRA staff with the five recommendations that are attached.

Ms. Ball: Is there a second?

Mr. De Rego, Jr.: Second.

Ms. Ball: It's been moved and seconded that the approval be granted for the permit. All those in favor say aye?

Mr. Hopper: No, it's the discussion.

Ms. Ball: Excuse me. Thank you. Discussion.

Ms. Hiraga: Sorry. With regards to recommendation no. 4...maybe I'm not reading this right. It says that "the new equipment...that the new equipment be painted to provided..." To be provided or is something missing or should just be painted with color consistent with?

Mr. Starr: Yeah. I think the "to provided" should have been after equipment.

Ms. Hiraga: Okay, minor.

Mr. Starr: Yeah.

Ms. Ball: Thank you. Anything else? Any more discussion? Hearing none, all those in favor say aye. All those opposed? Motion carries.

It was moved by Mr. Jonathan Starr, seconded by Mr. Frank De Rego, Jr., then unanimously

VOTED: to approve the permit as recommended by staff with the five recommendations/conditions.

(Assenting: F. De Rego, Jr., G. Hiraga, J. Starr)

(Excused: A. Lindsey)

E. NEW BUSINESS

- 1. Discuss potential amendments to the Wailuku Redevelopment Area Zoning and Development Code Article II Zoning Districts, 30.03 Commercial Mixed-Use District. These amendments may include increasing the height limit along some streets, including a floor area ratio maximum to preserve open space, adjusting the list of use categories and setting up transfer of development rights to preserve historic buildings.**

Ms. Ball: The next item is E, New Business. Erin?

Ms. Wade: Thank you Chair. At our most recent meeting it had come to the Board's attention that it's probably time to amend the commercial mixed use district within Wailuku. This represents the core of Wailuku town and I can pull up the map; it shows that. But I've provided you with the existing draft of the commercial mixed use district. And some of the things that have been discussed making amendments would include the height on either certain streets or in certain areas; providing perhaps an open space ratio that might be necessary on the ground plane; adjusting a use category; and then one of the things that was brought at the conference that we attended recently was potentially further incentivizing historic preservation in some areas by allowing for transfer of development rights. This gets a lot more complicated but I did want to provide the opportunity for the Board to make

suggestions before I go through and do a whole...wholesale change of this and you provide a little direction and I can pull up the map too Chair. I know that there are members of the audience that might like to share what they would like to see in any changes that would be made.

Mr. Starr: Madame Chair, I think, before we proceed with this, I just want to disclose that I do own commercial property inside the commercial mixed use district and it may lead to my recusal from taking action in, in changes to it since they might benefit my property.

Ms. Ball: Thank you. Do you have any comment on that?

Mr. Hopper: So will you be recusing yourself from voting then?

Mr. Starr: What?

Mr. Hopper: Will you be recusing yourself from voting on this then?

Mr. Starr: That's what I just said.

Mr. Hopper: Okay, I thought you said it may lead to.

Mr. Starr: Well, yeah, there may be something that doesn't --

Mr. Hopper: You're talking in general, so with this one you're saying you'll recuse yourself, but for as each matter comes up you'll consider each one.

Mr. Starr: Yeah, if it's something that affects --

Mr. Hopper: Okay.

Mr. Starr: -- or could affect my property I certainly would recuse myself.

Mr. Hopper: So for this case you wouldn't be voting so we would need three votes to take, to take action. So it would have to be unanimous without Jonathan. Okay, just trying to get clarity.

Ms. Ball: You're not voting on this correct?

Mr. Starr: I don't know what we're voting on, but if --. But to move it, move it forward, I'll recuse myself. Yes.

Ms. Wade: Madame Chair, this is not an action item today. It's just a discussion.

Mr. Hopper: Oh, so that's kind of for future reference. Sorry about that. I'm jumping ahead of this.

Mr. De Rego, Jr.: I was thinking what are we voting on because this just says discuss.

Mr. Hopper: Okay.

Ms. Wade: Thank you Chair. Thank you Leilani. This is the map of the Wailuku Redevelopment Area. This is the community plan designations which also match the Zoning and Development Code designations. Everything you see in red is commercial mixed use zoning currently. And then...the areas in blue are public and I did want to -- I also invited Pastor Craig Vance to attend because while he has property here that's in blue I think he might be coming for a rezoning to commercial mixed use for this. Even though it's in church use, there really isn't a requirement. Churches can be in commercial mixed use district as well so that might be a parcel to consider also as if some changes occur with the height limits or setbacks or any of those things, this might be one of the properties to consider, could be affected.

Just...a couple of sort of planning concepts just to be aware of, there's tools that we haven't used in the zoning code before or we haven't use in the Wailuku Redevelopment Area Code and one is a floor area ratio. And one of the things people have often said about Wailuku is they appreciate how there can be green and open space within a more urban area, and a way for us to regulate that could be a floor area ratio. This graphic illustrates how you essentially have the same volume of building. You have the same square footage of building configured in three different ways, and how you can then preserve open space by using floor area ratio as tool.

This is a graphic that illustrates transfer of development rights. So looking at this building here on the right, that's a historic building. Say we -- or currently, we could even use a current example. This is right now a two-story building. It is allowed to be a four-story building. If we want -- if we had hopes of it being preserved as a historical structure in perpetuity we could allow for the transfer of the air rights above that to go to a different project. So essentially this is a tradeoff. They preserve, they get the value of the additional air rights and then a developer would purchase those for an alternative location.

Okay, so that's a concept which I'm happy to get into more depth with you on. And I have written ordinances for transfer of development rights in the past but not in the State of Hawaii so that would be a new one.

So this is one of the images that -- Ryan Piros actually took this from Lloyd Sotedani's building, from the roof of his building, looking into Wailuku. So thinking about how Wailuku might grow over the coming years, and this is very crude, just power point. I added as if four-stories were added in locations where people have suggested they would like to, to utilize redevelopment, utilize their ability to redevelop. So looking between the existing and where height would be added -- this is just based on the scale of the photo where height could be added -- and then using floor area ratio. If all of that -- so this is the same amount of volume was turned on its side and was going up, what that looks like in Wailuku, okay. We can do

a whole lot more sophisticated modeling of this if you would like to request that. But what I wanted to do was provide sort of an illustration of, as we're starting to talk about adding density, providing for multi-family housing, what is the difference between today adding some density and whether it goes through the depth of the lot or whether it goes up. And of course probably none of these scenarios are exactly what any of these projects want to do which is why I clearly wrote for illustration only.

But we do know, and this is just to show and since they're taller it's easier to point it out, the one on the far left is the Wailuku Hongwanji property where the Valley Isle Marina, that has indicated eventually they would like to do some housing. The doctor's office at the corner of Wells and Market Street. The Earl and Robert Stoner's property; the really tall one -- the really tall one which is a long, rectangular box is, is also the old Kress Store as an example. And then across the street we have Good Shepherd Church, MAPA's properties, Jonathan Starr's properties, and then way back in the distance is the Vineyard Street project, you heard from Eng family about their, the multi-family housing that they were looking to do. So these are the projects that are on the radar from people who have come to us and said we're interested in, or we have some interest in redeveloping, we're not sure if it makes sense. I think these would be the people that it would impact that are within the area you saw in red in the multi-family district. Okay. Frank?

Mr. De Rego, Jr.: Remind me, what's the current height limit in the redevelopment area?

Ms. Wade: 60 feet.

Mr. De Rego, Jr.: 60 feet. So you only could transfer rights that would still keep you within the height level that's zoned right now?

Ms. Wade: No, so --. So the transfer of a development rights, this would be an option, if you kept the height limit in Wailuku as it is today, but allowed for transfer of development rights we would set a cap height.

Mr. De Rego, Jr.: Okay. That's what I was asking basically.

Ms. Wade: Yeah, but it would be above the 60 feet. Yeah. So, so let's say Main Square where Café 808 is --. Oh, wait...808 on Main, sorry, Old Main Street Bistro. It's a very nice historically intact building, today it could have the ability to be documented, torn down, and turned into a four-story project. If that was one we wanted to identify as a historical landscape that could receive status to sell their development rights for the additional height, then we would -- they could do that and that capacity, you know, that floor area that they would be entitled to could be purchased by another property owner. And what you do is you identify receiving -- lending zones and receiving zones to do that. Okay.

Ms. Ball: So tell me again what this --. I like the clarity of your, of your picture because the simplicity of it really is explanatory, but tell me again what this explains.

Ms. Wade: With this one?

Ms. Ball: Right.

Ms. Wade: Really all this does for you is it illustrates the locations where additional height has been requested or has been where property owners have said it would really be beneficial to have some additional height. Part of the reason for this is you can do...you can only do -. Well, you can do wood construction up to four-stories. Above four-stories you're required to go concrete or steel because of fire code issues. So once there's any additional height -- so right now everything could be stick built essentially. If and -- but the 60-feet and you might, you might realize this, 60-feet could actually allow for five-stories in there, but fire code is going to say no. If you're going to try to get five stories in there, that fifth story or the ground floor or all of it will need to be concrete and steel which makes the construction cost a whole lot higher.

So the conversation here is really about if we are considering additional height, what does make sense to the property owner? If we only give another story or another two-stories, does it financially work? Can they -- does it actually add value to them because now they are having to switch to the different construction type and so the cost of construction is a whole lot greater.

Ms. Ball: So the sum extra that you just described is pictured there.

Ms. Wade: Yeah. Right.

Ms. Ball: So it's just a theoretical sum.

Ms. Wade: Totally theoretical. Yes. So this is --

Ms. Ball: . . . (Inaudible) . . .

Ms. Wade: Right. Right. Yeah. Exactly. This is, this is representing a six-story height limit if it was a six-story height limit throughout the neighborhood. Okay. And then --

Mr. De Rego, Jr.: This might be a question Chair, if I could ask a question. This might be totally outside the sphere of what this discussion is about but...who is making the decisions about what's a historic building and not a historic building in the mist of Wailuku?

Ms. Wade: So we have a cultural resource planner, Annalise Kehler and she works with the State Historic Preservation Division (SHPD). So what she's been doing actually is cataloging. She's been developing an inventory of the building resources in Wailuku. And when any of these would want to be remodeled or changed, they do have to -- and if they're 50 years or older -- they do have to go through a State Historic Preservation Division to determine if the building would be eligible for listing on the National Register. So if the build -- and if it's contributing to a historic district. So if -- the answer to that question comes back

yes. It's still enough intact, it has enough historic integrity to be a valuable historical resource to, in and of itself or to the neighborhood as a whole that would be one that we would say yes. That could have the possibility of having, of selling the development rights. So essentially it's SHPD that would make that determination which buildings would have -- would have the historic integrity to qualify.

Mr. De Rego, Jr.: Is that -- Chair, question again. Is that...on a per case basis this determination is made or are they going to, as you say, do a catalog and sort of do a broad brush and say okay all these buildings are historic, has been considered historic by the Hawaiian Cultural Resources Commission.

Ms. Wade: It is, it is one by one.

Mr. De Rego, Jr.: One by one.

Ms. Wade: Each individual building gets an assessment. Yeah.

Mr. De Rego, Jr.: Okay.

Ms. Wade: And it's not that big of a district actually, and there truly aren't that many that qualify, I think. Even -- we've had to do this as part of the redevelopment project of the civic hub to determine what historic resources are being impacted by the project. And there's only two in the block adjoining the municipal lot.

Mr. De Rego, Jr.: Okay. Thank you.

Ms. Wade: Okay. So at this point I -- we are able to go through the sections. I'd kind of like to go through by section heading and talk about any of the uses, any of the development standards. But I wondered if, Chair, you would like to open it up for public testimony before we go through the ordinance.

Ms. Ball: Yes, I'll open this up to public testimony if anyone would like to say something to us. Thank you.

Mr. David Johnston: Hi, I'm David Johnston, executive director of Maui Academy of Performing Arts, and we're a property owner in this district. And this is Carolyn Wright. She's our director of program and she's been working really closely on the whole development project within the organization so she's got a lot of the details that I don't.

But I'm here because we've been talking about this in various -- with different, different people in various meetings that we've been having as we're looking to put together a coalition of potential developers on this sites who work in partnership with us. And as we've worked with square footages and the needs for our program and what other people would need to, to develop an interest in joining us on the project going up in height would be a tremendous advantage to achieving the goals that, that we've been looking at.

I also looked -- and I didn't realize this until I just saw this -- that the idea of keeping the lots available for the green spaces is something we've been very concerned about and we'd very much want in our, on our property because part of our whole mission is to create a community gathering space where we can share stories and we can share the arts with people on a daily basis. That opportunity to look at reconfiguring, reconfiguring the usage and the way we would approach the property development with adding that height would give us a whole new, a whole new avenue to go down which would be very, very exciting for us and beneficial for us in achieving our goals. Our goal is to put our entire operation on to, on to that 2550/2020 Main Street property area. We've wanted a home for...I would say about 40 years. I know the 25 years that I've been with the organization it's been a priority and we're really close to realizing that so we're just exploring all of the options that we can.

And the other piece that I want to add is that we're very concerned about working with different pieces of the community to, to make sure that we're all pulling the cart in the same direction in terms of where we want Wailuku to go and what we want to see Wailuku become. So we've been finding these conversations with potential developers, potential partners very enlightening in that way, and a lot -- found a lot of support where people who are interested in what can Wailuku can become and what would be satisfactory to the community at large.

So, do you want to add anything?

Ms. Carolyn Wright: I have nothing to add.

Ms. Ball: Very good. Thank you. Thank you so much.

Ms. Wade: Thank you Chair. Just to go back. You know the whole point of us doing the redevelopment at the Wailuku Municipal Lot is to incentivize redevelopment throughout the district. So now that we're at that moment and a number of property owners are assessing what works for their property we've realized that if we actually want to incentivize development we might have to make a few changes to the zoning ordinance which is why I brought it to you today. So --

Mr. Randall Brokaw: Would public testimony still be open?

Ms. Ball: Yes, certainly.

Mr. Brokaw: . . . (Inaudible. Did not speak into the microphone.) . . .

Ms. Wade: She's the boss. She's the boss.

Ms. Ball: Absolutely. Please come up. Thank you.

Mr. Brokaw: Hello. Randall Brokaw, 50 year resident of Maui, and old resident of Vineyard Street in Wailuku. And...2011, I bought the Chee Kung Tong lot on Vineyard Street if you're

all aware of that...as I heard it was destined to become a parking lot. And I've been here to testify in the past, a few years back about my goal as to preserve that area as an open park space or a cultural...addition to Wailuku, something that's always been there. So I was just wondering if the intention of the redevelopment agency is to, and I guess it would be up to Annalise Kehler at this point, to decide whether that is a historical piece of property or a cultural value. And I've been in touch with the Planning and Annalise over the years now and I've yet to come to any conclusion or get any help in assessing what to do with this property. It's becoming a bit of a burden tax wise as the taxes have gone up and the maintenance of the place. But personally I've been putting out my own retirement funds to keep the place from falling into the ground trying to protect it because in my youth it was a very special place to me. And so far I just wanted to reiterate that that property is available to the County or any interested parties who would have the same mind set as to keeping it as a park, a Chinese heritage place.

If you Google Wailuku Chee Kung Tong, it comes up a 1,000 times. It's always been a tourist attraction. So I was just wondering, I still have questions, you know, five years later, is it or is it not a valuable resource that we should protect or do I sell it to somebody who wants to make a parking lot and pursue that aspect of it? I was just wondering if there would be any answers in the coming year because I get a little bit more on. It's harder to -- you know, I've submitted plans for the rebuilding of the Chee Kung Tong, identical to what it was before with a few upgrades. It's sort of been setback by how much it would cost as a commercial developer to put in a sewer manhole and connect the water. I can't afford to do that individually. The County could do it real cheap or I could -- I'd be forced hire contractors to keep it -- to pursue it any further and it's just become beyond my means. So I'm basically looking for any help from...a body established to essentially...keep Wailuku alive and not let it turn into a slum. I've been trying personally for this long and I just wondered should I keep up or should I give up. Four years ago you told me not to give up. Any comments, questions?

I noticed on your map, is that blue spot my place?

Ms. Wade: It is.

Mr. Brokaw: Thank you. I was just wondering there's a little patch of blue there and --

Ms. Ball: Thank you. Thank you for coming and talking to us during this public hearing. It really isn't an agenda item so we can't discuss with you or discuss it among ourselves because it hasn't been agendized. But of course you're always welcome. No, it's no problem.

Mr. Brokaw: I'm sorry I was under impression that this the transference of building development rights in some localities it is done to protect the historic place such as what I have now. And it would pertinent on that aspect that why I -- you know, every six months I read your minutes and I look at your agenda today and that pop for me so that's -- if I'm not in the right time then could we please put it on an agenda to be discuss it in depth? Because trading that place as an open space, somebody might be, somebody my need...in order to

build their affordable housing or whatever, they might need to improve that area as a park open space.

Ms. Wade: Chair, could clarify from him?

Ms. Ball: Yes.

Ms. Wade: So would you -- are you suggesting that as a property owner you would be willing for that site to be a sending zone where you would -- could sell your development rights to someone who wanted to build?

Mr. Brokaw: I've offered it to the County. I offered to the price I got it for. It was \$100,000 which since then there's been hundreds and thousands -- hundreds of hundreds of thousands of dollars spent on studies, this and that parties, but nobody's ever got back to me. And the offer still stands, I'll sell it, you know, Wailuku historic, there's the Chinese Sun Yin Sin people in Oahu. I think the County would be best of this property. And just on another note, I won't speak to the subject if it's off topic but, yeah, I would just, I would sell it to the County if I could be assured or I'd sell it to anybody else if I could be assured that it will not be something that is lost forever.

Ms. Ball: Well thank you for your comment. Do you have something to say?

Mr. De Rego, Jr.: No, no.

Ms. Ball: We appreciate you coming.

Mr. Brokaw: Okay, thank you. Mind if I listen in on the rest?

Ms. Ball: Not at all. Please do. Erin?

Ms. Wade: Okay. Yes.

Mr. Brokaw: Excuse me, can I just -- one moment? It's identified on the map that you're going through as a historical property at this point.

Ms. Wade: It's identified as public/quasi-public use.

Mr. Brokaw: Okay, so why do I have I pay --

Ms. Wade: So you might want to ask the tax office that.

Mr. Brokaw: -- I pay hotel tax every year.

Ms. Wade: You probably want to ask the tax office that.

Mr. Brokaw: I just wanted to make sure if it's classified there now because that's something new to me and I was never notified about it.

Ms. Ball: Thank you. Please continue.

Ms. Wade: Okay, so the first section is Purpose and Intent. I would imagine that the purpose and intent section would remain relatively similar to what it is today, but you're welcome to take the time to review that.

In terms of principle uses, this gives for me some of the uses the way that they're listed I think are dated and we can improve. I think the --. It's interesting because adult establishment and entertainment --

Ms. Ball: Yeah, what's that?

Ms. Wade: -- are two uses that are connected. And when you actually go to the parking ordinance they're the same. Whereas what we have a whole lot more of is theaters, performing arts locations, concert halls, that kind of a thing that I feel might be a more appropriate way to identify both of those. The adult establishment when you read about it in the zoning code, it talks about basically a bar, a bar. So for me I would rather see that much more clearly expressed because in our Chapter 19 Zoning Code that, it talks about bars, restaurants and nightclubs. I think we could be more explicit about those uses. And then it might better encourage those types of uses rather than adult establishments is confusing, I think.

The -- what was the other one? The hotel. So the hotel is the use that we have seen that is one of the most likely uses to find its way to Wailuku. Right now we have up to 20 rooms is allowed as a use by right and we have several properties operating under that. The North Shore Hostel uses this. The Banana Bungalow uses this as a use. So it's a use by right in those. And those all have less than 20 rooms. Moving forward and if you're moving forward in the ordinance if you go to MRA Use Permit, a hotel of more than two rooms is allowed with an MRA Use Permit. So I would like to kind of discuss whether you would like to continue sort of that room delineation, that break down in numbers, or if you wanted to address allowing for more?

One of the things the hotel -- it's interesting to me -- it doesn't have any performance standards either in the listing as a use by right or in the MRA Use Permit. And there's a whole lot of trash, laundry. There's a lot of things that come along with a hotel that are addressed in Chapter or Title 19 that we might want to start pulling into this if it becomes possible to have a higher density hotel coming to Wailuku. And just having the conversation about whether that's the right use, you know, whether -- whether we want --. If, or if there's a limit to how much should be allowed in term of hotel use.

The other uses I think are relatively...self-explanatory. The outside open air dining is something that we have talked about working with the Liquor Commission to assist us and to

allow for the -- and this actually comes as a secondary potential recommendations -- to develop the dining and entertainment overlay district. So even as you look at the commercial mixed use district, the recommendation has been made by Progressive Urban Management that we also develop an overlay for that section...for a portion of it which is essentially surrounding the Wailuku Municipal Lot to allow for -- and that we with collaborate with the Liquor Commission to allow for expedited permitting or even consolidated permitting, outdoor dining that could include alcohol sales on the sidewalk, and live music, all those types of things. So that would be another potential would be to, in tandem with this, create the overlay district that would allow for that. Would you like me to pause so we could discuss permitted principle and MRA Use Permit uses or would you like to continue?

Ms. Ball: What is your pleasure? Should she just continue?

Mr. De Rego, Jr.: Yeah.

Ms. Ball: Go ahead.

Ms. Wade: Continue?

Ms. Ball: Yes.

Ms. Wade: Okay. So real substantive section is the Development Standard section. And what's most interesting about this is it kind of -- it begins to incorporate some of the design guidelines in the form of development standards. So it does have a minimum lot size. Right now it's 4,500 square feet, and there are many, many lots in Wailuku that do not meet this 4,500 square foot minimum. So the question -- in fact if --. Well, I don't know if I can zoom in. It's not going to let me zoom. But if --. This is Market Street right here, and looking at all of these lots along here, you can see there's a bunch of teeny, tiny little lots. The Ikeda building is substandard. The lot that everyone refers to as the beer garden lot is substandard. The building next to that is substandard. A couple of the lots here on Vineyard Street and moving up are also substandard. A bunch of these little lots in here, none of these are 4,500 square feet.

Now part of the advantage of being in the Wailuku Redevelopment Area is you can do a joint development project where essentially the property lines disappear once you file as a joint development. And the project can be built as if there are no property lines in between. But that does require active land assembly which in some cases it has worked out really well for owners. But in others...it may not and it does sort of work its way at eliminating the small lots which gives Wailuku a lot of its charm. The fact that there are many individual business frontages that are small. They might be 30-feet wide only and that gives Wailuku -- having the opportunity to have those small lots does give Wailuku at a lot of its character. So I would suggest perhaps we consider reducing the minimum lot size...and also maybe the minimum lot width.

I can actually pull up with the Maui Property Tax...to show you minimum lot width. We can

actually measure frontages on here. I don't know if you folks have used this tool, but it's really handy. I use it probably 10 or 15 times a day. It's always up on my computer. But right now the minimum lot width is 45-feet. And it does say smaller lot widths maybe permitted by the Planning Director for utility purposes, roadway or easement lots, and essentially when it's in the public uses it says. But when the lot is not to be used for a commercial or when the lot is not to be used for commercial or residential. But as I've said I think that might...discourage some of the things that we're trying to do. So let me just zoom in so you can see some examples real quick. I wish I could get rid of this.

Okay. Just a little more. Okay, so this lot which is the lot next door to...what people refer to as the beer garden lot is 30-feet wide, and this is approximate but --. The beer garden is 50. Oh, no I'm a little over. That's the thing, you have to be very precise...but we're in the range. This Ikeda building too which is on the side of the Pili Street. Sorry. I don't want to make you seasick while I do this. Zooming in I can get more precise. So 35. So let's use this property that's currently the Public Defender's Office. I think we would all like to see that change a little bit in terms of its façade treatment. The reflective glass isn't exactly pedestrian friendly. So if this lot was to redevelop it would be -- it is commercially used. It would be considered substandard in both size and width and so they would need to come in for a variance. Or, they could partner with the next door lot where the banyan tree is and come in as a joint redevelopment project. But that does require a lot of behind the scenes work. So if what we were trying to do is encourage this building to either add density. We are going to be giving them a beautiful new access point, lots of parking in the back. This would be, I would think, one of the lots that we would really be targeting for new investment. So if we were to do that, what are the things that we want to incentivize that? I think that the joint use allowance is really a positive thing, but I also think if, if they don't -- if these owners don't know each other or aren't interested in collaborating maybe we should consider looking at ways to remove barriers for reinvestment. Okay. Are there any questions on lot size and lot width?

Okay, next is the Minimum Setbacks. So I think as you're aware the setbacks are dependent on the height of the building or the story of the building. So as you can see it gives you a first and second story and then a third story and fourth story. So for the first story --. And it's also based on the street frontage. So for the first story in most locations that are in the commercial mixed use district as this map shows. Oops, I'm trying to switch. There we go. So all of these segments -- Wells Street, Main, Vineyard, High, Church between Wells and Vineyard which is this segment in the Wailuku Redevelopment Area or in the commercial mixed use district, Market Street and Central -- all have no minimum front yard, front or rear or side yard setbacks, okay...at this point for the ground and second floor.

For the third floor and in Planning terms they call these step back, they require you to step back away from the property line by 10-feet at the third-story, and 20-feet at the fourth-story. So, again, as we're looking, if we go back to Ikeda building and we're requiring a 20-foot step back on the fourth-story which currently -- actually this height limit is only 45-feet so likely they would only build three stories. But let's say they did want to come and do a three-story redevelopment project, they would be looking at a 10-foot step back and they only have 35-

foot lot side or 35-foot lot width in the first place. So you're eliminating 10-feet on either side leaving them a 15-foot building on the third floor.

So just trying to make sense of --. Even the existing Code, you know, even in the existing code for a lot of the buildings it doesn't work. They currently have a 45-foot height limit. But with the setbacks, they really can't utilize that third floor construction if they wanted to rebuild.

And I'm expressing this as sort of a factual basis. I don't want it to come off as I'm trying to tell you we have to increase the height limit. If, and as the conversation continues, if you're perfectly happy with the status of the height being primary one and two story buildings on Market, as an example, I think that works fine. We probably just want to clarify so that within the zoning and development code, it's, it's understood, that that's the expectation, you know, because right now it is a 45-foot.

So then for lots whose front yard setback abuts all other streets -- so other than the ones listed there is a six-foot setback from front, side and rear, okay. So in the, in the urban core, in the core of the downtown there are zero setbacks for ground floor. As you move kind of outside of the core and outside of the commercial mixed use district, there are six-foot setbacks.

And then we get to Maximum Height, and that's on the back page. Okay. So maximum height, right now, they're at two-stories or 30-feet and that exists on Nani, Loke, and those are down by O'oka's. Those two streets are down by O'oka's, the old O'oka's. Church Street north of Vineyard Avenue . . . (inaudible) . . . This map works better because the color...is easier to see. Okay Church Street, north of Vineyard from, and from Main to Pakahi on Maluhia. So Maluhia is the one that is...I will show you on here. This is Maluhia Street, the one, where, next to Native Intelligence and there's a car lot here, you can turn in and go back like this. This is Maluhia Street. Okay. And then there's a series of other streets where it's two-stories. This is two-story or 30-feet is the height limit.

But the majority of the core area -- you see this. Here, you can actually see it on this. But the majority of the core area allows for 45-feet and --. I'm going to switch back here just because it's easier to see on that map. So Wells, Vineyard, Hinano, High, Church, Vineyard, Main, Market and Central all allow for 45-feet or three-story height limit.

And then for lots whose greatest street frontage is along Main Street or for the purposes of a land locked lot whose principle access is off Main Street it allows for 60-feet. Four-stories or 60-feet. Okay.

So...what I see that this does is it kind of creates a hierarchy of streets. It identifies Main as being the location where if you're going to have some height it's the right location to have height. There's a series of sort of secondary streets where a mid-tiered height level is appropriate and then there's outside of the core where it's a much lower height limit. I would --. So I guess that's up for conversation. Is that kind of the same pattern that you'd like to continue? And then the question being is that also...are these numbers right? Are they still

-- is it still the right height limit throughout Wailuku town?

And then finally just going back to the...Floor Area Ratio. So we do allow a 3-0 floor area ratio. I didn't, I didn't show. None of these show a 3-0 but it's obviously something between this so three times the lot area is floor area ratio. But you have to accomplish that within the existing height limits.

Okay. So that's essentially the ordinance as it exists today. It's a little tutorial on the commercial mixed use district.

Ms. Ball: So the pictures that you had, like, photo-shopped.

Ms. Wade: Yes.

Ms. Ball: So those show -- reflect these?

Ms. Wade: They do not. No. These, these show as if we were going to allow some additional height. I can even mess with this if you want. So even though this building is one-story, functionally it's a two-story height limit. So if I took this down to two-stories -- see, so what I'm going to do is I'm going to replicate the height of that building. I'm going to stack this on top. And you would see this gives you -- this represents now a four-story building from ground plane to top of new roof for four-story. Okay, we can do that for all, for essentially all of these. I'm going to get rid of this one so you can see the foreground.

So let's say through the depth of this building you added the two-stories that it was allowed. In fact, let me get rid of all these so you can just see...what that does to a singular building...to be four-stories. It's interesting because what, what surprised me when I did this, I was expecting a lot more of the mountain view to be block than actually is. It's almost all urban scale, it's urban development that's in between, in the view plane that gets blocked and not the mountain view.

Ms. Ball: This is from the Sodehani's office building?

Ms. Wade: Correct. Yeah, yeah. Exactly.

Ms. Ball: From the top of it then?

Ms. Wade: It is, yeah. He did take it from the, that parking structure up at the top. So what this doesn't give you and what would probably be very a whole lot more helpful is professionally rendered from the street level, you know, to feel like what does it look like if we added -- if the building is redeveloped at a four-story height. What does it look like if the building is redeveloped at six-stories, you know, to show sort of the differential.

Ms. Ball: This is alright because we're, you know --. It was very striking to see it. So then what --. At first I thought that when we saw that first diagram that you showed us that it was

maxed out. That's what it would look like if it were maxed out from this.

Ms. Wade: Right. Right. No, I'm sorry --

Ms. Ball: . . . (inaudible) . . .

Ms. Wade: No, I'm sorry, that's not --. I've showed six-stories because that was the . . . (inaudible) . . . We've all had a...individual conversations. We had some conversations here about what if we allowed for a couple more stories of height within Wailuku.

Ms. Ball: So that was the dream scope scape.

Ms. Wade: That is "the what" if. Yes, that is not the existing code.

Ms. Ball: I guess if we're going to be considering what is, we should see what is because it's hard for me. Because right now it's not maxed out to what is, right?

Ms. Wade: Right. So you would like to see a build out to existing code with these projects.

Ms. Ball: That would be fine.

Ms. Wade: Okay.

Ms. Ball: Then we can see what it's like and whether the status quo of the measurements are what we want to feel -- what we want the town to feel like.

Ms. Wade: Yeah.

Ms. Ball: And then we have that plus the ones that people have expressed they want to increase it to and then we can see what we feel about that. That's my feeling.

Ms. Wade: Okay.

Ms. Ball: But you may have other feelings, Jonathan? Frank?

Mr. Starr: Well, it's good to look at all, at all possibilities.

Ms. Ball: Otherwise, I'm not a numbers person. . . (inaudible) . . . And I think Gwen is a number person . . . (inaudible) . . .

Ms. Wade: Okay. Did you want to take by section if there's any comments? Like for example, were there any comments on recommending changes to permitted uses? Or things that you would like me to look into?

Ms. Ball: You're talking about this grandfather section, right? I mean, there's these sections

that are grandfathered, it looks like.

Ms. Wade: You're looking at the very last paragraph?

Ms. Ball: Correct.

Ms. Wade: Yeah, I actually hadn't mentioned that and this is something that DSA relies on heavily with us that any structure that was constructed with a building permit that was approved prior to the enactment of these rules need not acquire a variance and maybe reconstructed as permitted by the original building permits. Unfortunately...it is very rare that original building permits exists for any of this, any of the structures in Wailuku. So while this was a good thought I have -- I'm yet to see somebody to be able to use it because we don't have them. And such structures maybe expanded or modified with a building permit subject to the other provisions of the . . . (inaudible) . . . This we have seen. In fact David Dwyer did this two years ago at the Fujimoto Building where the original building permits didn't exist but he had plans drawn for as built and then it indicated yes there's a permit, but there's no way for us to know if what exists today was what was permitted back in the day. So we accepted the assumption that yes it was and then he was allowed to expand and add a level to the back of the building based on this clause, and did not need to bring the building up to current building code standards throughout the rest of it. So that is a huge advantage right now.

Ms. Ball: Alright folks. Erin?

Ms. Wade: Okay, I guess what I'm looking for from you is just particular direction on --. What I would like to do is make a first round of edits, honestly, and bring back to you kind of a marked up version based on the comments that I have heard either from you in discussions at the MRA meeting or with our reWailuku outreach efforts and talking with the different building owners. But if you have a way that you would like to direct me now I'm very open to that. And if there is anything that you'd like additional research on I'm also happy to provide that for you.

Mr. De Rego, Jr.: Chair?

Ms. Ball: Yes.

Mr. De Rego, Jr.: The thing that's fascinating me right now are the height limits and the height of buildings in the center of Wailuku and the whole discussion of density. What do we see Wailuku being in the next 50-years, not next 20-years --

Ms. Wade: Right. Yeah.

Mr. De Rego, Jr.: -- in terms of infill provision for housing in the middle of town, right? Are we going to end up being Boulder, Colorado, you know, where, you know, if you've been to Boulder there's, you know, a three-story height limit, I think, it is there. And then all of a

sudden you get these huge, you know, 20-story buildings right on the edge of town where everybody lives and then they commute into Boulder. Is that what we're planning on doing with Wailuku? Are we going to allow a little bit of flexibility to increase density in the center of town? So this --. When you talk about height limits, that's what I start thinking about. In terms of density where are people going to live? Do we want to make walkable city here where people could actually live in the center of town? And what is that going to look like and what are going to be the population limits of something like that. What do we foresee in regards to that? So anything we -- decisions that we make now are going to affect people in the future in terms of what they build and how livable, quote on quote, Wailuku is going to be. So that's just a comment, but that was from all these discussion the height limits are of a fascination to me right now.

Ms. Wade: Just one quick follow up on the height limits. So as you know within Wailuku there are a number of buildings that exceed 60-foot height limit. So the County of Maui building here is nine floors. I believe that 95-feet. The One Main Plaza is six floors. The Maui Medical Building is six floors. The Wailuku Town Homes is seven floors and the Sodetani Building is seven floors. So all of those pre-date the zoning and development code, and some are not in, you know, like the County building is not in the Wailuku Redevelopment Area. But those can sort of provide a frame of reference for if additional heights was provided, you know this is how it would materialize likely. The other thing to maybe pay attention to before we come back to the next, and have this conversation next time, is most of those, like the Wailuku Townhomes is a good example; unfortunately it's parking in front, but it is setback. So it does -- it doesn't give you the impression that while it's eight stories high, it's not right on top of you when you're pedestrian. It is setback enough from the street that the height doesn't feel oppressive. So there's -- it's a play, it's a spatial play basically in terms of how comfortable the pedestrian feels. If the building wall, for a eight-story building was sitting right on the edge of that sidewalk it would be a very different feel to that space.

Ms. Ball: We must be speechless. Continue.

Ms. Wade: Did you have a question, Jonathan?

Mr. Starr: Yeah. Are there any assets, I don't know, of PUMA or someone could help understand kind of the economic impacts and ramifications for what we're, what we're talking about?

Ms. Wade: Yeah, absolutely. Actually Goodwin Consulting has been retained to do that piece so they are -- they have already evaluated build out of the neighborhood within the existing code, and they can do that also. And as a result that this is kind of what pushed me to put this on the agenda now is he said, you know, you have a whole bunch of properties in here that zoning is preventing from redeveloping because they're too small unless --. But for they can partner with somebody and combine the lots. A lot of these are really limiting your ability to actually have new investment in the district. So I'll -- and that should be available actually at December meeting; Goodwin's as built and then we'll get them to do --. Well --. Sorry I keep thinking out loud, but I don't want to really send him on a wild goose chase to do 10-

story height limits in Main if that's not something that you folks are -- if it's not on your radar. You know, if you're thinking --. If want to give me, like, a range that you feel like I should test I'd be happy to do that. But I don't want to make him do a whole bunch of things that aren't even -- you're not even considering.

Ms. Ball: So are you waiting for us? Gwen?

Ms. Hiraga: Yeah, one comment that I would have is . . . (inaudible) . . .

Ms. Wade: Yeah.

Ms. Hiraga: . . . (inaudible) . . . And also on the minimum lot size, we already know potentially a problem because a lot of the lots rights now are substandard in terms of . . . (inaudible) . . .

Ms. Wade: Yeah.

Ms. Hiraga: If we're looking at minimum lot size . . . (inaudible) . . . having what Jonathan wants it will give us . . . (inaudible) . . .

Ms. Wade: I'm sorry when you turn your head, I can't hear. Would you mind putting the mic closer to you? Thank you.

Ms. Hiraga: Yeah. So on the minimum lot size, rather than the 4,500 because we are already -- we, we are aware that there are properties that are substandard with the 4,500 square feet, why not look at 3,000 or 2,500.

Ms. Wade: Yeah. Okay. And same for lot width? Reduce the lot width?

Ms. Hiraga: Yes, correct.

Ms. Wade: Okay. Great, I will do that. It gets really complicated too. I mean it's very interesting because one of the more complicated -- or one of the more exciting properties, the corner of Main and Market has been for sale for about two months. And with all different interested parties we've been going through on the phone, well what could they do with this property? And we keep running into all of these roadblocks. You know how can that get redeveloped? One of the most challenging pieces is where, where do people park their construction trucks and tools, and how do we keep that corner open for pedestrian traffic? These are some of the things too I think we're going to have to incorporate in here is requirements for access along pedestrian ways when there is major construction happening, you know. And allowances for workers and construction trucks and things like that to lease on street stalls or elsewhere in the immediate vicinity for rehabilitation to happen. This is one of the things that has come out just with that property to hear --. Even if they just want to do work on the existing building, not add any density, just re-roof, you know, replace the roof. It's not something you can do in just a weekend where, you know, where if it's bigger construction we do need to take that into account in such a compacted area.

Mr. Starr: I'd like to have more understanding than I have on FAR and how it, how it affects what happens in the different scenarios.

Ms. Wade: Yeah.

Mr. Starr: You know, what are the philosophies?

Ms. Wade: Yeah. Right. So as an example if -- one of the things a lot of communities do is they allow a bonus of height if you keep a certain percentage of the ground plane open, you know, and green I should add. Not open and parked, but open and green so that it adds a public benefit. So I can provide --. What I can do is provide you examples of ways other communities have used that and then many of them have graphics even within their ordinances that show you get a bonus when you do this or this. Yeah?

Mr. Starr: Do wide sidewalks and pullouts and stuff like that also figure in or are they...kind of the out, out of the equation?

Ms. Wade: Well...certainly I've seen open plaza space, you know. So if, if you have minimum required of 10 which is a, which is a pretty standard 10 foot wide sidewalk is pretty typical for an urban district. Then if you're going beyond that whatever it might be as long as it's not parking. You know, as long as it's not asphalt it might be something could be considered. Yeah. Okay.

So possibly either density or height bonus if the floor area ratio is adjusted for additional ground plane.

Okay. What about the idea of the transfer of development rights? Is that something you would like to explore or is that just a bridge too far for Maui?

Mr. De Rego, Jr.: Yeah.

Ms. Wade: Take a look at it? Okay.

Mr. Starr: I would think we're talking about transfer of development rights inside the redevelopment area.

Ms. Wade: Yes. Right.

Mr. Starr: Not like, you know, in Hana or Molokai.

Ms. Wade: Definitely. Yeah. No, we would be limited to this area. Yeah. Okay, that's great feedback, thank you very much.

Feel free to send me notes if you have. Okay.

Ms. Ball: Thank you for coming.

2. Review of DRAFT recommendations to create a monthly parking permit program for the Wailuku municipal lot paired with a No Re-parking Ordinance.

Ms. Wade: Okay. So Chair, the next item on the agenda is the idea of creating...an interim permit for long term parking in the municipal lot, and developing a no re-parking ordinance. So this comes from our parking consultant who is evaluating how to better manage our parking resources throughout Wailuku. It has been said several times that if we just managed the resource better, there would be a lot more availability of parking. And it turns out --. This is actually the very draft dashboard of her financial analysis that I have up on the screen. I'm sorry. So she's done projections for years one through five, if we begin charging for parking as a parking district. Red means we're not breaking even yet. Green means we're breaking even, or better than breaking even. But at the end of year three, we will have paid for the equipment basically that has to be installed, and be generating some revenue for running our clean and safe program, that basically gets fed right back into the district.

So coming -- so she's gone through these scenarios. Then --. So she evaluated the on street parking and you can see here they did do an on street parking occupancy average. This is low. So she's estimating for purposes of pricing if it's only 55% parked which is low. What are getting? But they, they only observed at maximum a 75% on street parking. It's only ever 75% parked at a given time, which to me, tell me, there's not as much of a parking problem as we all continue to complain about. It may not be there's parking available right in front of the store that you would want to go to, but, but there is parking. Yes. So and a way to test that and to both sort of ease folks into the idea of paying for parking, and to illustrate that un-street parking is available, we're talking about having...a parking permit fee for the 12-hour stalls. So in the municipal lot now, all of the -- I can go back to our maps. What am I on? This. And if I pull up the satellite. In the parking area now both...both of the strips in the center. So this and this -- can you see this? Yes. These are all 12-hour, designed as 12-hour stalls. So what we would be suggesting is you would purchase a permit to parking in those 12-hour stalls. I think, well...she thinks we should do that either way. I think a lot of people are using this for two-hour just because there are actually -- they don't really want to park there all day, but they want to parking to there for maybe 3 1/2 , 4 hours. But if we make the parking permit cheap enough to begin with you may see it to your advantage to buy it even if you're only going to parking there for four hours a day.

So as an example I park at One Main Plaza, I pay \$35 to park and then the County subsidizes half, so I think that's half. It's actually \$70; I pay half, the County pays the other half, but it's \$35 out of pocket. If we did --. But it's covered parking, you know, so we're thinking we do something lower, something like \$20 to start out in the municipal lot where we begin the idea of you can park here all day if you have permit. But you may not --. That's why you have

to do the no re-parking cause she said no one will buy it if you let them continue to park for two-hours and then move their car every two hours, you know. So the price has to be cheaper than getting a parking ticket.

Mr. De Rego, Jr.: \$20 a day?

Ms. Wade: No, \$20 a month, so a monthly permit.

Mr. De Rego, Jr.: I'm thinking Honolulu prices.

Ms. Wade: I know you are. Every time I tell anyone outside of Maui that our monthly parking rate is \$35 their jaw drops because they think on Maui it should be twice as much as Honolulu. Anyway. So it has to be less than getting a parking ticket and a lot of people in Wailuku get a parking ticket every month. Especially -- well, with the previous police officer they certainly got a ticket every month. So that's \$65 you know. Where if it's less than half the price, you know, we're figuring people might choose to go that route and you don't get -- it's not on your record that you've gotten parking tickets.

And then we would like to propose that basically gets run out of the Finance Department who currently issues the County's parking passes anyway. So you could buy for...one month a time, you can buy a six month which would be discounted even further or you can buy an annual pass for parking it that lot which would be discounted even further. And then we do the no re-parking ordinance and you can see Julie gave us examples. I think Seattle's on there, and a couple of others that say and to do now we're not going to let you re-park within the district. So if you --. And I think one of them gives a 500 foot radius. So it's basically, if you're going to re-park your car within the same block you're going to get ticketed. If you're going to move it to whole another area, they're not going to re-ticket you. Yes?

Mr. Starr: So to be clear what it would be is that in those two, two stretches there would be no provision for short-term parking for anyone, or any parking at all, for anyone who doesn't have that pass.

Ms. Wade: Correct. Yes. And the reason she's suggesting we do that is there are 100's of long-term parkers in the prime two-hour stalls that she thinks will move out of there and park in the permitted stalls if you give them the chance to do that. Right now because you're getting some two-hour parkers and less even, you know, I see people will park in the 12-hour early in the morning and go into Aria's or to the coffee shop and they're taking up the 12-hour stall.

Mr. Starr: I know I use them for two-hours and I didn't notice the differences.

Ms. Wade: Yeah. I do too. I mean if it's convenient that's where you park, you know. But this would --.

The other thing -- so that this three -- it's a three prong approach. It's you give people a

permit, you don't let them re-park and then you increase enforcement.

Mr. Starr: What's the mechanism from making it happen, it happen?

Ms. Wade: So it's budget planning time right now so what we would do is we would put it as a revenue stream actually in the County Council's budget to indicate we would like to set up this permit system to collect funds and we would like --. And she, Julie actually has already created the parking district ordinance for both Wailuku and Lahaina. So I wanted to bring this to you now and let you know. Lahaina is going to go all in. They're going to install their meters and start charging with this coming budget cycle with a parking district. I'm suggesting we wait until after --. Well I'm suggesting we set up the Wailuku parking district but we not charge for on-street parking at this point. We don't buy the equipment for on-street at this point. We only require the long-term parking permit up until the point that the parking structure is done.

Mr. Starr: We can do on street? We can do the on-street without a change in HRS?

Ms. Wade: For everything but Main, yes we can. Yes. So and they're actually actively working. And it was kind of -- it's, it's great having these experts here because Julie went over to Honolulu and met with the Honolulu Public Works and they really want to charge for some of their State Highways as well. Same thing with Kona. So now they're all working together to prepare a bill for next session that will allow the counties to charge for on-street parking because it will be us managing the system. But that's not going to happen this round. So FY19, that starts July 1st, we're proposing that we begin this permit parking, adopt the no re-parking ordinance, and increase enforcement with --. So they would pass this in April -- the County Council pass this in April, then May, June and July, we do public information campaign, and starting July 1st, you need a permit to park in the 12-hour lot, or the 12-hour spaces.

Mr. Starr: I, I -- I was never really aware how much of the parking was being used for all-day...all-day employees. I friend of mine posted a Facebook picture, I think it was last Monday, it was a holiday, a government holiday, and they --. What?

Mr. De Rego, Jr.: It was empty.

Ms. Hiraga: It was empty.

Mr. Starr: Yeah...a picture up on Facebook and it was empty. There were four or five cars there.

Ms. Wade: Yeah. Yeah, exactly.

Ms. Hiraga: Are there a lot of --? Sorry. Are there a lot of State and County employees that parking there all the time?

Ms. Wade: There are a lot of State employees. There's about 60 State employees that we know of that we have surveyed and talked with. There's only a maximum of 10 who have been parking, County employees. It's a whole lot closer to the State's facilities. However, and MAPA's left now, but our Environmental Management Division is based in the Main Street Promenade right now so those are County employees that are parking there. So they may have been surveyed and asked where are you going and they just said the Main Street Promenade, but they're actually County employees.

Mr. De Rego, Jr.: Chair, can I ask a question? Is there going to be a time limit for these permits? In other words, after six o'clock it's open season on parking in municipal lot?

Ms. Wade: Yeah, we can do that. That's a good suggestion. We can definitely do that. It could probably be earlier. It's relatively empty by four, to be honest with you, the municipal lot.

Mr. Starr: If we find that after implementing it some of them are sitting empty, is there a way to change the ratio?

Ms. Wade: Definitely, yes. And that was one of the things she was -- the reason she was saying it she's like now is your chance to experiment and see how many people are going to come forward and get the permit, you know, and do you have enough stalls. That was her first question is I don't think you have actually enough stalls to sell all the permits that you want. She thinks we're going to have a wait list for the permits once people realize we're also doing the no parking and enforcement, you know. So the first couple of months people won't sign up for it, then they'll start to get ticketed and then they'll realize. And what we can do is even have an informational brochure that when Wikoli issues the ticket it says, you know, you're eligible for this parking permit pass, you know, and park in the 12-hour stalls here, it's only \$20 a month, you know. And he can circle the price of the ticket. You would have saved yourself \$40 today if you had bought the pass. So anyway if there's 189 stalls there right that are could be permit ready basically so --. Then we can -- if it turns out nobody's buying it, we can reduce the number and make more two-hour. Like, I would suggest if we ended up doing that the ones that are closer to Vineyard because those ones at the edge of Vineyard are the ones that people use to go to Aria's and to utilize those businesses, so those would be the ones we would probably open up first.

Mr. De Rego, Jr.: . . . (inaudible) . . .

Ms. Wade: Yeah, yeah. Or by First Hawaiian Bank; the corner at First Hawaiian Bank. But, you know, it gives us the chance to sort of test it out and see what the demand is.

Mr. Starr: What would be our action if we want to move this forward?

Ms. Wade: What I would do is at the next meeting I'll bring back to you the actual parking district ordinance, as well as draft legislation for the no re-parking and rate fees. And I won't have that for the December meeting, but I can have it for January.

Mr. De Rego, Jr.: So I remember having the meeting with, I'm trying to remember her name.

Ms. Wade: Julie.

Mr. De Rego, Jr.: Julie. And I got the sense from her that parking enforcement was separated in a sense from the Police Department for --

Ms. Wade: In many communities it is. It is not here. Here, it is Police. It is sworn officers doing the enforcement.

Mr. De Rego, Jr.: Yeah, that might be something we suggest the State look at. The other thing is...that means, in terms of personnel for enforcement, it looks like they're going to have increase people that are assigned to do this duty in the middle of Wailuku. It seems to me that for the first few months, at least, you've got to do some behavioral reorganization so people get the idea that you're serious. So if you're going to be consistent it seems to me there's going to have to be some reallocation of personnel so people get the idea that you are serious in terms of enforcement. So it's going to cost the County some money going in especially for assigning people or they're going to have to hire more or that kind of thing. So therefore the suggestion of if they separated the two you're actually talking about a different set of requirements in terms of salary, and fringe, and all those kinds of things for maybe people in the parking enforcement side versus the police department. So, it's just something to investigate.

Ms. Wade: Good point.

Mr. Starr: Is there a statutory reason why the muni lot has to be enforced by police?

Ms. Wade: No, there's not. Yeah, we, we can do that by unsworn officers so long --. Well, if they're buying a permit. If they're citing folks who haven't purchased a permit and are parking the permitted stalls, so long as the ticket isn't one that goes to District Court, so long as it's a notice of violation essentially, like, you may not be parking here, that doesn't have to be a sworn officer. If it's an actual ticket that goes to the Court system it does have to be a sworn officer. But, the --. It's what they -- what we'll do once it's all metered parking is we will not be using sworn officers likely because it's an overstay notice is what they get with a fee attached to it. It's an overstay fee, not a fine that goes to the Court system. But that won't be in place in time for us to do the permit system.

Mr. Starr: How about for the two-hour?

Ms. Wade: Yeah, so for the two-hour we certainly, and that's what this, this represents. So I can kind of show you off-street revenue. So for the two -- and this is for once the municipal civic hub project is built and then all of the lots -- this is the lot behind Iao Theater, this is the lot out front here, this is -- they've given us a place holder if we start charging at Wells Park as well. The park system allows us to do that. But this is what we would estimate. I don't

know if she has it by -- oh, yeah. Sorry. So she has it by two-hour and long-term. So this is the parking of the permit parking projection revenue, and then this is --. And this is once the garage is there, they're recommending 40. And also recommending we have a low income permit that you could apply for if you, you know --. This would probably be a lot of the shop workers would apply to get the discounted rate. But anyway, eventually, yes, I think we will be doing the two-hour. At this point what we don't want to do is -- I think and you can tell me if I'm wrong with this -- Julie is assuming we don't want to discourage business, we don't want to discourage customers coming to Wailuku, it's the employees we're looking to train at this point with the permit parking. It's the employees who are parking out on Market Street all day long or who are parking in the two-hour stalls all day and preventing customers from coming to Wailuku and parking in those stalls. So this is more of a behavior conditioning than anything else at this point. And once we kind of get that under control, then we can start pulling in the, the two-hour, which we may have to do under construction as well. You know, we may determine, great we've got that under control, now we're going to take out this lot and we're going to have to regulate the rest of the, of the on-street and off-street parking.

Mr. De Rego, Jr.: When they do go to the meters, I do hope it's going to be like credit card available meters.

Ms. Wade: All of them will be. Yeah, they're, they're pay stations.

Mr. De Rego, Jr.: Pay stations.

Ms. Wade: Yeah, they pay stations...is the recommended.

Mr. Starr: Would the pay station -- would there be a paper ticket that goes on the dash or will it just be numbered?

Ms. Wade: So she's got a -- and I should let her share with you because she knows every form of technology that's out there and could talk about it for years. But there's license plate ones that even feed into the meter readers, little portable device so that they would know. You wouldn't even have to put anything on your car. They would just know if you're --. They would punch in your license plates and know if you paid or not, and for how long, and what time you have paid. So there's all kind of options out there for how to pay.

Okay, so in summary what I'll be doing then next meeting is bringing back proposed fees for the permit of no re-parking draft ordinance, and the Wailuku parking district ordinance for your review in January. Okay? Alright.

Ms. Ball: Thank you.

- 3. Meeting dates for calendar year 2018. The agency may act to adopt the proposed meeting schedule or take some other action.**

Ms. Wade: Okay, meeting dates is the next item.

Ms. Ball: Are we --? Alright, thank you. Sorry.

Ms. Wade: So we've -- Leilani prepared the proposed 2018 meeting dates. I'm actually going to switch locations.

Mr. De Rego, Jr.: Is that in the --?

Ms. Wade: Yes, this, it's this sheet.

Mr. De Rego, Jr.: Okay. I didn't run it off. I got it out of my e-mail.

Ms. Wade: Are there any questions or concerns? Dates need to be changed? Times people know they're going to be away?

Mr. De Rego, Jr.: Let me check. I'm sorry. Do you have any extra one of those?

Ms. Wade: Do you have an extra one of these Leilani?

Mr. Starr: You can take mines.

Ms. Wade: Okay.

Mr. De Rego, Jr.: I didn't down load it.

Ms. Wade: That's okay. I'll pass mine. Do you mind sharing this with Frank? Thank you. So we've kept the fourth Friday. Does that work for everybody?

Mr. De Rego, Jr.: Usually.

Ms. Wade: I tried --

Ms. Ball: We're used to it.

Ms. Wade: I did try looking to see -- I asked County Council for their draft schedule thinking we could pick a consistent date that they wouldn't be meeting, but that's not going to happen. Their meeting weeks jump all over the place. There's no rhyme or reason. Well, it's based on conferences and things that they go to, so anyways, it does seem like the fourth Friday is the least in conflict with County Council at this point...if you don't mind.

Ms. Ball: No, it looks good.

Ms. Wade: Okay, these dates work?

Mr. Starr: Can we invite Council Members to some select ones with . . . (inaudible) . . .

Ms. Wade: Totally, yes, absolutely. Maybe we'll do that when we start discussing the paid parking.

Ms. Hiraga: Get them ready for budget.

Ms. Wade: That's right. That's right. Okay. Great. So would you like to accept a motion, Chair, to approve these as the --

Ms. Ball: Yes.

Ms. Wade: -- dates?

Ms. Ball: Would somebody? Jonathan?

Mr. Starr: I move to accept these dates as presented to us.

Mr. De Rego, Jr.: Second.

Ms. Ball: It's been moved and seconded that the dates for the MRA be accepted. All those in favor say aye? All those opposed? Motion carries.

It was moved by Mr. Jonathan Starr, seconded by Mr. Frank De Rego, Jr., then unanimously

VOTED: to accept the proposed schedule as presented.

(Assenting: F. De Rego, Jr., G. Hiraga, J. Starr)
(Excused: A. Lindsey)

F. OLD BUSINESS

1. Update on the Wailuku Civic Hub project and schedule.

Ms. Wade: Great. Thank you. The update on the civic hub and schedule. So on the 1st you'll be getting a full update of where we are with the design of the civic hub. It will not be the final approval of schematic design. Just in the last three days there's a handful of loose ends that are out there still and the cost estimates haven't come back and I told them there's no way I'm going to send cost estimates I haven't reviewed to the MRA for their approval and sign off. So we'll wait till the January meeting for schematic design. It doesn't delay the schedule actually. They can continue working. And there's a handful of details that need to be worked out. Now the electrical transfer stations are showing up on the plans and that's one of those things, it's my biggest pet peeve. I hate seeing those. Like as you walk through Kakaako and there's this big electrical box in your way, you know. Well we can bury

them if we just plan ahead. You know, they don't have to be out there so --

Mr. De Rego, Jr.: It the same in like subdivisions. I have one easement right on my box that's sitting there. They could've buried it.

Ms. Wade: Yeah. Yeah, so there's some detail work that I would like to spend a little more time before we bring back for final approval. However you will see the working documents on December 1st on where we are.

Mr. Starr: I've been having a number of people ask me for kind of a picture of what it looks like, of what's it going to look like and I long ago gave away my one. Could we get that on some kind of pdf or something?

Ms. Wade: Yes, so I have the newsletter which I gave away all mines too. I need to print out a bunch of newsletters. And then there's also we're going to do a new one for December 1st as well.

Mr. Starr: But can we get the newsletter on pdf?

Ms. Wade: Yes. Absolutely. So I'll e-mail it to all of you and as you want to share.

Ms. Ball: And how are these being distributed again?

Ms. Wade: The newsletters? So they go to all of the County Council Members and usually I have a stack here. And then...pretty much each time that we have meetings that include the public, we've been going to rotary pretty consistently and sharing with them what's happening. We've been meeting with all the property owners, that's how I use those. I haven't done a broad base mailing, but that's something that we could do if you think that would be valuable, to start mailing to...folks in the district.

Mr. Starr: I think or twice, you know, kind of selective . . . (inaudible) . . .

Ms. Wade: Okay. Yeah, I feel like we're at that point where we have to do more intensive outreach.

Mr. De Rego, Jr.: Yeah, we need --. Yeah, we need to start doing some education on what's going on and what the process is.

Ms. Wade: Yeah.

Mr. Starr: Can we do a big hearing meeting just, you know, ask people for their comments and opinions, and kind of to let off steam.

Ms. Wade: That should be the schematic design approval in January if you're prepared for that. If you want me to --. I can do the mail out in advance of that and then say, you know,

this is going to be the review and approval of the schematic design. Because once we head into design development, there's --. I mean we're not reducing the size of the project. It's basically going forward as it is.

Mr. Starr: Can we do an evening one?

Ms. Wade: Yes.

Ms. Ball: A what?

Ms. Hiraga: An evening meeting.

Mr. De Rego, Jr.: I was about to say that because it seems to me that if you're going to do a big hearing and we're doing it at one o'clock in the afternoon that really kind of shuts off a lot of people from attending.

Ms. Ball: That's a good point.

Ms. Wade: It definitely has.

Mr. Starr: We should do one.

Mr. De Rego, Jr.: One evening hearing here.

Ms. Hiraga: Are you looking at our January 26th meeting as an evening meeting? Or another meeting in January?

Ms. Wade: That's a good question. I need --. I need to find a venue. I don't know that we can use this room in the evening.

Mr. Starr: We want bigger.

Mr. De Rego, Jr.: Yeah, we want bigger.

Mr. Starr: Can we do Iao Theater?

Ms. Wade: We could. Testifying is difficult there. We --

Mr. Starr: They've got wireless mics.

Ms. Wade: They do, that's true. I was going to say we've done the Cameron Center before. They're a big classroom.

Mr. De Rego, Jr.: Open up the dividers, that's a lot of space.

Ms. Wade: Yeah. But I don't know if they have sounds actually so that could be complicated. Are you all available on the evening on the 26th?

Ms. Ball: January?

Ms. Wade: Of January?

Mr. De Rego, Jr.: I should be.

Ms. Ball: This is a Friday. Is that a good time to have it?

Ms. Wade: Oh, yeah, Friday night is not a good time.

Mr. De Rego, Jr.: Yeah, Friday night is not. Yeah.

Ms. Hiraga: We have to do it the night before.

Mr. Starr: Yeah, Thursday, the 25th.

Ms. Wade: Okay.

Ms. Ball: You know, the venue is pretty important, you know. That, Lao Theater is fine, but it's more theatrical and we want -- if we are really -- if we do a community participation, it's hard for people to participate if they're in that kind of audience venue. I like the Cameron Center.

Mr. Starr: Or Wailuku Community Center?

Ms. Ball: Yeah, how about that?

Mr. Starr: If it's, you know, if we can find a date.

Ms. Wade: Leilani, do know what we have in terms of sound that we could use at the community center?

Mr. Starr: I've got better than that if someone will help me carry and set up.

Ms. Wade: Okay. For all of the members and the testifier?

Mr. Starr: A couple. Maybe one testifier mic and two --

Ms. Wade: Or alternatively we don't really run it as -- and this is where I'm going to need Mike maybe to chime in -- we don't run it as a board meeting, but as a public informational meeting where we have the architects present and then we're not doing like full verbatim minutes and that kind of a thing, and not everybody's mic. We just use it as an informational.

Mr. Starr: Have our January meeting and then have that.

Mr. Hopper: Well, if we're all here, I mean, it's board business and . . . (inaudible) . . . MRA then you still have to comply with the sunshine law.

Ms. Wade: Okay.

Mr. Starr: Can we just convene and then --

Ms. Wade: Listen?

Mr. Hopper: If it's, if it's basically organized for purposes of the MRA trying to get information on that, I think that's essentially a board, a board meeting. You're talking about an MRA meeting at that point.

Ms. Wade: Yeah.

Mr. Hopper: I mean, the requirements are you take minutes and allow public testimony.

Ms. Wade: Right.

Mr. Hopper: So those are two requirements. You can be flexible within those requirements, but you do have to meet those.

Ms. Wade: Okay.

Ms. Ball: Can we limit the agenda to just taking minutes and --

Ms. Wade: Oh, you mean --

Ms. Ball: -- I mean, just to having, allowing for public testimony then?

Ms. Wade: Presentation and testimony.

Mr. Hopper: Yes, at least those are our board business, yeah, you can do that. If you want to allow the public to ask questions, I suppose you can do that too after public testimony and then just say the public -- the floor is open for questions. But you would need to either record verbatim minutes or record summary minutes of what actually went on, and note each of the, you know, item that was testified on essentially. There are requirements there.

Ms. Wade: Okay.

Mr. Hopper: I mean, another option is to just have the Planning Department conduct some type of workshop without MRA members actually there and then report back because that's

not an MRA meeting because there's not -- there's less than a quorum.

Ms. Ball: We can't go there?

Mr. Hopper: No more than two of you could go.

Mr. Starr: I feel we should be there, unless --

Ms. Ball: I do too. You know, there's a lack of --. There seems to be some concern that --

Mr. De Rego, Jr.: So we need a court reporter.

Ms. Ball: -- it's an inconvenient time and you know --. What?

Mr. De Rego, Jr.: We should do a court reporter for this simply because if it's going to -- we're going to have to take verbatim minutes of the testimony, is that what you're saying?

Mr. Hopper: Well, no. You need to make, you need to note what the topics were that were testified. I mean, verbatim minutes is one way to do it and maybe the easiest way to do it because otherwise you do have to have someone there noting what's going on.

Mr. De Rego, Jr.: Going on, exactly.

Mr. Starr: How about we video it?

Mr. Hopper: That's an option and then do the minutes of it that way. That's an option.

Mr. Starr: It still has to go on paper. We can't just have a video?

Mr. Hopper: Yeah, I don't think you can do video minutes. I think you're talking about have, requiring addition audio recording but I mean, you do need some type of minutes. They don't have to be verbatim, but they need to be subject, basically a subject of --. I can -- if you want me, I can look it up in the sunshine law itself, but they have description of what you have to include. It's not necessarily verbatim but you generally need to, you know, talk about what, like what was discussed at the meeting.

Mr. De Rego, Jr.: Well, I would feel more comfortable, for that meeting, since it's going to be maybe a larger group that we hire a court reporter to do something, you know, to at least keep track of what's going on.

Mr. Starr: Could, could we decide to do the meeting and then leave, leave it to the Chair and our staff and Corp Counsel to --

Mr. De Rego, Jr.: Yeah, for the logistics.

Ms. Wade: For the logistics, yeah.

Mr. De Rego, Jr.: As long as it meets the sunshine law requirements, I'm okay with that.

Ms. Ball: And when are we going to establish the date?

Ms. Wade: So I would like some flexibility because we have no idea of what venues are available when. So if you're okay with us doing it sometime in January before your meeting on the 26th I think that would be the...the best.

Mr. Starr: Yeah.

Ms. Wade: So probably either the second or third week of January. Okay.

Mr. Starr: Yeah, I'm pretty --

Ms. Ball: Third week is better for me.

Ms. Wade: Third week would actually be better because we're going to try to do a Project Advisory Committee meeting that second week anyway. So third week.

Mr. Starr: That's pretty clear for me.

Ms. Hiraga: The 23rd is I have a conflict. Any other day -- 22nd, 24th and 25th . . . (inaudible) . . .

Ms. Wade: Not 23rd. Okay. Excellent.

Mr. Starr: You'll send around the date or something.

Ms. Wade: Yes, I will. And I'll check -- I'll check Cameron Center first but there could be, there could be another good venue. But I agree, I like it when you can have eye contact with the testifier which I think is hard at the theater.

Ms. Ball: Yeah, make it more comfortable coming up to . . . (inaudible) . . .

Ms. Wade: Yeah.

Mr. Starr: Or Wailuku Community Center.

Ms. Wade: Yeah, community center, okay. Alright. Great.

Ms. Hiraga: How about the school cafeteria?

Ms. Wade: Yeah, Maui Waena.

Mr. De Rego, Jr.: Those are always uncomfortable in terms of the seating. I can never fit in those little --. Make sure it's a middle school or a high school because it's hard to sit in the elementary school cafeteria tables because --. Bring a folding chair.

2. Update on Clean & Safe program

Ms. Wade: Okay, so that's the civic hub update. The clean and safe, it's continuing to move forward. Actually Theo Morrison was here yesterday from Lahaina, and she wants to do a similar program, and Lawrence met with Mike White and Paia about Paia doing a similar program. So it's really starting to become the model which is exciting.

Ms. Ball: Good. It's great.

Mr. Starr: Are we still getting statements of concern over it not being kind of extending up to upper Main Street?

Ms. Wade: We're not getting statement of concern...but what I will say is I would like, with your permission, to add an additional \$50,000 to the contract -- or not even \$50,000 -- \$25,000 to next year's request in order to allow for a one, once a day cleaning of Main and Vineyard. Those of the two that kind of get yucky looking pretty fast especially Vineyard has that Banyan tree that hangs over and then the leaves all collect. So Main and Vineyard I think are the probably the two worst, and the budget for cleaning is not high. And there's actually additional capacity. He tells people all the time he doesn't have enough work for them to, to clean. So if he had more funds, there's definitely people who could do the work with Mental Health. So if we could add. Okay, so I'll put an additional \$25,000 in the budget for that.

Ms. Ball: Okay, great.

G. BUDGET

1. Department budget summary

2. Additional expenses

Ms. Wade: And then...was there a budget attached this time, Leilani? Okay. You know what I'll follow up with Charmaine and I'll e-mail it to you.

Mr. De Rego, Jr.: Can I make a comment about the public hearing? That might be a good time to invite the Council Members to attend or at least our district member to attend.

Ms. Wade: Yeah. Absolutely. So send out additional invites for that.

Mr. De Rego, Jr.: Invites for that, yeah.

Mr. Starr: Can we do a little presentation on Clean and Safe at that as well?

H. SPECIAL MEETING DATE: December 1, 2017

Ms. Wade: Yeah. Yeah, good timing actually.

Mr. De Rego, Jr.: Yeah.

Ms. Wade: Okay. Additional expenses, I just wanted to give you a heads up about the Urban Land Institute Conference. So we sent four people. Originally Ashley was going to go and then wasn't able to so we partially funded for Don Couch to come along because he's been helping with several of the ongoing issues. It was a very good trip and we will provide a summary of that actually December 1st...what the trip included.

So December 1st is the special meeting date.

Ms. Hiraga: Madame Chair?

Ms. Ball: Yes?

Ms. Hiraga: I'm sorry, I won't be able to attend the December 1st meeting. I'll be away, out of state, and I knew this was a scheduled travel date for me and that's why I told Erin from the very beginning that I am going to be missing the December meeting so I apologize for that.

I. NEXT REGULAR MEETING: January 26, 2018

Ms. Wade: And then no regular scheduled December meeting. Our next regular meeting will be January 26th. We'll -- and I'll schedule that special meeting earlier in January.

J. ADJOURNMENT

Ms. Ball: Any other business? If not, meeting is adjourned.

There being no further discussion brought before the Agency, the meeting was adjourned at 3:10 p.m.

Respectfully submitted by,

LEILANI A. RAMORAN-QUEMADO
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

PRESENT:

Carol Ball, Chair
Frank De Rego, Jr.
Gwen Hiraga
Jonathan Starr, Vice-Chair

EXCUSED:

Ashley Lindsey

OTHERS:

Erin Wade, Small Town Planner, Current Planning Division
Michael Hopper, Deputy Corporation Counsel