

**BOARD OF VARIANCES AND APPEALS  
SITE INSPECTION  
JANUARY 24, 2013**

**(Approved: 2/14/2013)**

**A. CALL TO ORDER**

The site inspection of the Board of Variances and Appeals (Board) was called to order by Vice-Chairman Rick Tanner at approximately, 11:30 a.m., Thursday, January 24, 2013, at a property located at 647 Gay Street, Lanai City, Hawaii;

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

**B. SITE INSPECTION**

- 1. LANAI COMMUNITY HEALTH CENTER for LANAI RESORTS, LLC requesting variances to delete the following: (1) Maui County Code (MCC), §§18.20.040, 16.26B.3600, 18.16.060(B), which requires the construction of roadway improvements and the widening of existing rights-of way; and (2) MCC, §16.04B.110, which requires a paved-20-foot wide minimum-fire apparatus access road, for the proposed Lanai Community Health Center at 647 Gay Street, Lanai City, Hawaii; TMK: (2) 4-9-006:011 (BVAV 20120011).**

Vice-Chairman Rick Tanner: All right. Let's start the inspection.

Mr. James Giroux: And again, this is a reminder is that these are run just as regular public meetings, so what we need to do is keep everybody in order so that whatever is said is recorded, and that this inspection is just to get a feel of the area. There's not gonna be technical questions that are gonna . . . specific to the hearing. And the hearing is gonna be a run—it's a variance—so as a contested case. So we're gonna follow all those procedures. But this is just basically just to get a feel for what we're looking at so at the meeting, those questions can be relevant to the evidence that needs to be presented at the variance.

Ms. Diana Shaw: Basically, the division is right around this area. So it basically, follows this line right here. And it encompasses this . . . (inaudible) . . . And if we walk over here, I can give you a visual of what the building's gonna look like. We did set something up.

So what we tried to do is basically, put a facility in place that's gonna give us enough space to provide our primary care services and behavioral, health, and dental. So we're a Federally-qualified health center. That means we provide dental, behavioral health, as well as basic primary care to the uninsured as well as the insured.

What we wanted to do was keep our facility within the feel for our community because we want our patients in the community to feel comfortable coming into it. And a new flashy building is not something that really works well here. So the mission that we gave to the architects was make it look like a cluster of three small plantation homes.

So this is kind of the . . . This is the front. And the front will be facing Sixth Street over there. And then you can see the layout here: Sixth Street, the front of the building, and then two wings. So it's a U-shaped building. About where we're standing right now there will be a medicinal garden—both a Hawaiian medicinal garden as well as a Filipino medicinal garden, because the community is so heavily Filipino, and our population of patients is very heavily Filipino. We actually transcribe most of our information into both English as well as Filipino, which there's just some samples of our literature down here.

The building itself will be 6,800 square feet assuming that everything goes well with the variance and all, and incorporates . . . Over here, it's a wide, open area. So the entrance into the building will be an open air, though, in the winter like now, we have the ability to close it off so that we don't freeze our poor nana. And . . . but yet, it'll be comfortable seating in the inside.

One side will be the dental and specialty wing, and the other side will be the primary care, integrated behavioral health. When we provide services, we provide them in a manner that says we're gonna take care of the whole person. We don't really just want you to come to us and show us your broken finger, or your cut finger, or come to us for just your mind or your teeth. We want to basically, really be your home, your medical home. So we really take the time. We spend on average, 30 to 45 minutes with every patient—longer, if there's translation issues. And we basically are letting them meet the team. So they meet the team of a medical provider, a primary care.

And for dental, since our current facility doesn't have a dental operatory, we basically have a relationship with the dentist on island. This one will actually have two dental operatories. Significant because of the little amount of dental care that is provided on all of our islands and the state of how . . . You know, dental is not just a matter of visual, to make you look nice. For people with chronic care diseases, this is an issue regarding their health. And they can end up in the hospital if we're not very careful.

So we've also put into the facility, an activity room. One of the things as small communities, we don't have a lot of spaces where people can meet. And in the dorm, we have one-fourth of the dorm right there. The rest of the dorms are boarded up and not used. But the dorm over here actually contains an activity program that the art school or the art center uses usually a couple of days a week for the kids. They come over and do their art in there. We wanted to make sure that they had some space that they could feel comfortable using. So we did create an activity room. It's got access outside. You don't have to keep the whole facility open for that. And anyone in our community, like all the community spaces really that have been built primarily I think by the County, they're open for people to use. So it won't just be the art center. It won't just be us. It'll be anybody in the community who wants to book into that room.

A couple of other things right now, we actually have tele-medicine capability so we can have our patients come into our facility and they can see a psychiatrist through tele-medicine. We've been told, even though I didn't think that would be very successful, we were actually told that that was really great. They loved it because it was like talking to the T.V. They didn't have to see an actual physical person.

We're working on a dermatology relationship for tele-medicine. The specialist that we bring on our island so that our people don't have to go off island are cardiology. And the cardiologist comes

from Queen's. And they bring an echo machine so that we can do echoes here. We also have a nephrologist that we're finalizing an agreement with. And as I said, dermatology. Last year, we created an OB program. I don't know if you know that babies can't be born . . .

Mr. Giroux: We might wanna keep some of that for the hearing and just start to focus on the setting.

Ms. Shaw: OK. That's fine. So then going back to the setting, then, we also have a small vegetable garden because again, that will basically work well with the activities that we want people to engage in. So we want to help them keep well. We also have an arrangement with the hospital where they can bring some of their long term care folks over for us too.

Now, Marney, Kwan, do you wanna talk a little bit more about the technical stuff because I think that, you know, I can talk about programs, but the rest is not my bailiwick?

Ms. Marney Murdock: I think you gave the logistics of the site. You described it really well, but just say . . . looking at the site plans to give you a frame of reference, in addition to what Diana said, so where that tree is, is where the subdivision lot will . . . it will occur going this way. And so right in front of the tree is where the staff parking lot is. And then so the development is all on this side for the Lanai Community Health Center. And then the other side, the Maui Community College and the Lanai Art Center will stay as they are. There's no intent to do work on that side.

Vice-Chairman Tanner: How far this way does it extend? Does it encompass this building here or does that stay there?

Ms. Murdock: No. So this building, this building, and this building, they all get demolished.

Vice-Chairman Tanner: OK.

Ms. Shaw: This building actually right now is kind of sitting where the parking lot for our patients will be. So that's the extent of parking. Right . . . parking right here in front of the building. This one right there would be for staff.

Ms. Bernice Vadla: OK. So that parking is back here behind us?

Ms. Shaw: Right, yeah.

Ms. Murdock: These are six stalls just for staff and then this would be public parking in front.

Ms. Shaw: And a lot of people do walk. So bottom line is that we put enough parking in that we had to, but we actually have people walking up to our health center up on the hill. I walk to work every single day. Staff are encouraged to do that. It's part of that exercise piece that basically says you get out, you exercise, you stay well. And a number of people . . . we have an electric car that we use for transporting patients back and forth. So we try to be as good as possible and not need . . . (inaudible) . . .

Ms. Vadla: So you said this is six stalls and this is . . . ?

Ms. Murdock: All together we have 18, so that would be 12.

Mr. Ray Shimabuku: So the issue with the . . .

Ms. Shaw: The widening?

Mr. Shimabuku: The fire apparatus access road, you're looking at all the roads?

Vice-Chairman Tanner: Yeah, which . . . yeah, is it all the streets? Is it . . . ?

Ms. Murdock: Yes. Primarily, Gay and Houston.

Vice-Chairman Tanner: Gay and Houston Street. OK.

Mr. Lance Nakamura: The subdivision, isn't this entire lot all the way to that next street? Isn't that the entire lot?

Ms. Murdock: Yeah.

Mr. Nakamura: So the subdivision, although this section is the part that's going to be redeveloped with the building permit, the actual subdivision requirements apply to, I believe, the entire . . .

Ms. Murdock: The entire lot.

Mr. Nakamura: Everything . . . all the . . . I'm not sure. What is that street on that side?

Ms. Murdock: Seventh.

Mr. Nakamura: So it's Seventh, Gay, Sixth and whatever this . . .

Ms. Vadla: So Seventh is included in the variance?

Mr. Nakamura: Yeah.

Ms. Shaw: It would have to be because again . . .

Mr. Nakamura: For the subdivision. There are aspects of it that relate only to the building permit which would then . . .

Mr. Shimabuku: Which would only be for these streets.

Ms. Vadla: Three.

Ms. Shaw: And I will bring this display into the hearing.

Ms. Trisha Kapua`ala: We can walk around if you guys wanna . . . yeah?

Vice-Chairman Tanner: Yeah, I think so. So this is Gay there and this is Sixth?

Ms. Murdock: Yes.

Ms. Jacqueline Haraguchi: Yeah, I have on the plan what the width of it is. And look at the rest of the community around them and the rest of the roads around them. None of them are wide, nor do they have sidewalks. So this will change the community in a big way for them to make all of the . . .

Vice-Chairman Tanner: Captain, we've got some questions. Is it appropriate now to ask those, James, or . . . ?

Mr. Giroux: If it's location of some things, maybe just to get an idea of what you're looking at.

Mr. Shimabuku: I just wanted to get a feel of what's his take on these existing roads and how his equipment are handling this now.

Mr. Paul Haake: For Sixth Street and Seventh Street, I believe those roads meet the standards, the 20 feet wide, these streets right here. This is Sixth . . . no, this is . . .

Vice-Chairman Tanner: This is Gay. And that's Houston?

Mr. Haake: This one's only 15 feet wide and that one's only 14 feet wide.

Mr. Shimabuku: Another big issue with the roads.

Mr. Haake: Although that one meets the requirements for the width and that one also. The fire protection is on these roads. So these are the roads that the fire trucks have to get on.

Ms. Haraguchi: So I guess my next question is . . . (inaudible) . . .

Mr. Haake: I don't believe so.

Mr. Shimabuku: 'Cause these roads are pretty much typical going up, yeah, parallel . . . (inaudible) . . . ?

Mr. Haake: Right. But it's during this type of process when we would . . . (inaudible) . . . these roads, the standards. It's not gonna be like just us driving around and say that road's too skinny. When somebody comes to do a subdivision process, that's when we push for the widening of the roads.

Ms. Haraguchi: And the hardest part is, is when you do push for the widening, or you do get the widening, it totally changes the community. Even if it's only gonna be this subdivision for the next 20 years, it still changes what is . . . what Lanai, I guess, is about, or what they've been about the past, or whatever, but I understand where you're coming from, but also, it will change the community.

Mr. Nakamura: And for Public Works, I mean, this is kind of typical. Public Works' standard is when you do a development in an urban area, widening, curb, gutter, sidewalk, I guess that's what happened to this building here. And if you look around, there's sidewalk, curb, gutter, sidewalk, widening. That road kinda pushed out little bit. That is what would end up being probably right around this whole site without the variance, yeah, is this look right across the street right there. It would have to be wider. I don't know what the total width is, but . . . (inaudible) . . . wider.

Mr. Shimabuku: So would that mean that their property is like back here instead of out here?

Mr. Nakamura: This property line, my guess is right here. Back of the sidewalk is typical.

Mr. Shimabuku: So compared to that side, that van is actually inside their property, though?

Mr. Nakamura: Maybe. I don't know. Maybe eight, ten feet in is their right-of-way. A typical right-of-way is about ten feet of grass shoulder. Here, maybe less. I don't know.

Ms. Haraguchi: The biggest issue I think is this tree that . . . I mean, water is such a big issue for us now and I know that . . .

Mr. Teddy Espeleta: . . . (inaudible) . . .

Ms. Haraguchi: Yeah, it does apply.

Mr. Nakamura: You talk about . . . (inaudible) . . . back here, curb, curb face, grass strip, sidewalk . . . (inaudible) . . . if that was the normal standard. If you go . . . the normal is 24 feet, curb face to curb face, the curb face is here or in there.

Ms. Murdock: Yeah, for this street, it was seven feet more to come in, but we don't know exactly where the property line is. But wherever the property line is, we would come in seven feet.

Mr. Nakamura: So it could be significant the amount that you'd have to . . . you know. And who knows if the building . . .

Vice-Chairman Tanner: Teddy, what is this . . . (inaudible) . . . ?

Mr. Espeleta: Used to be dorms. It used to house the pineapple pickers before . . . (inaudible) . . . This side, they would have to knock this tree down. . . . (inaudible) . . .

Ms. Haraguchi: . . . (inaudible) . . . because it's not only this tree for parking, right?

Mr. Espeleta: No, it's all that trees all the way up there from that . . . from that street up there to that other street right here all the way down here.

Vice-Chairman Tanner: And part of their . . . of course, there's no parking lot right here now, but part of the plan is a parking lot in front and behind.

Ms. Murdock: Rick, just so you know, the thought behind the parking lot being split is because the

health center, they didn't want it to look like a huge parking lot.

Vice-Chairman Tanner: Yeah, I like that idea. I think that was a good plan.

Ms. Murdock: And then we're trying to keep . . . (inaudible) . . . to keep traffic off of Gay Street and keep it more on the wider street, yeah. That was . . . when we did the EA, that was one of the comments with the Police Department. So then we then agreed that that would just be for staff to reduce the traffic on the narrower streets.

Vice-Chairman Tanner: Does the master plan call for it—for a similar look with the curbs and . . . ?

Ms. Murdock: Actually the sidewalk in the master plan . . . the sidewalk master plan in the design guidelines, this is not in it. Our block is not . . . Across the street, it shows it, yes, as existing, but not our area. That's actually one of the . . . we have that material to show that the sidewalks aren't, yeah.

Ms. Kapua`ala: Rick, I think it's noteworthy that Captain Haake pointed out that there's two hydrants here. So this is where the fire vehicles . . .

Vice-Chairman Tanner: I see this one here. There's another one further down? I saw one on the other side. It's on the other side of the street.

Mr. Shimabuku: Does that mean the truck wouldn't come in here?

Mr. Haake: We're gonna go where we have to, but where we require fire protection or where there's fire protection, the roads have to be 20 feet wide.

Vice-Chairman Tanner: And what's this one—12?

Mr. Haake: Fourteen.

Vice-Chairman Tanner: Fourteen. So to make this one 20, I don't see how you do it without . . . you know . . . Which side do you take it from or do you try to split it because you got this right here? You got the trees that are all right up against the road.

Mr. Haake: If it's gonna be 20 feet, some trees are gonna have to come down.

Vice-Chairman Tanner: Yeah, that's . . . that would be the only way to do it.

Mr. Haake: But as it is right now, with these lots divided up, that parcel could technically be said to be served by Seventh Street.

Ms. Vadla: And this one, technically . . . ?

Mr. Haake: Sixth Street. The fire protections' around Gay and Houston.

Vice-Chairman Tanner: Where's the corner of the property or the development? Is it kind of just

this side of the blue dumpster? Is that how far back it goes?

Mr. Kwan Law: The current property is . . . this lot is the entire property. It's one property. Just . . . you know the pine tree over there? Just pass the pine tree.

Ms. Haraguchi: OK. So are there any improvements that would have to be made on Seventh Street?

Vice-Chairman Tanner: So where does it end? Right about right here? OK.

Mr. Law: About right here. So you look at the tree, that's where the . . . (inaudible) . . . end.

Ms. Murdock: Kwan, . . . (inaudible) . . . 15 feet from that building?

Mr. Law: Yeah, it's just about 15 feet away from the existing building.

Ms. Haraguchi: . . . (inaudible) . . . Where they're subdividing that is this whole block that they have to make improvements to since that's what they're subdividing.

Vice-Chairman Tanner: So is Gay and Houston not County roads?

Mr. Nakamura: My understanding is that they are. I think I made a note of that in my report.

Mr. Law: But the Sixth Street is not, right?

Mr. Nakamura: It's not? I thought they were, but I could be mistaken. I can find that out, if you . . .

Vice-Chairman Tanner: And these are private residences?

Ms. Murdock: No.

Vice-Chairman Tanner: No?

Ms. Murdock: It's the Lanai Art Center and the Maui Community College building. So they're support buildings to the art center.

Vice-Chairman Tanner: Oh, OK.

Ms. Murdock: Storage and support building.

Ms. Vadla: So they're looking at having to . . . (inaudible) . . .

Mr. Shimabuku: No. Their concern is just the width of the roads and then the curb and gutters for the entire block, actually. That's what the variance is for. The curb and gutters can actually accommodate that 20-foot width of the road, but make them . . . that means you gotta take out all these trees and relocate that fire hydrant. And that's why if you look on the other side of that



building, it seems to be right on the property line. That's the property line, yeah?

Ms. Murdock: . . . (inaudible) . . . But I think the way it works, Lance, right, Lance, the way it works is you would take the center line of the road and then it's equal on both sides. So I think this one's required 44. So if you center the line, it would be 22.

Mr. Law: Yeah, it would both require to be seven feet.

Ms. Murdock: Yeah, so from this property line, it shows on the plan going in seven feet.

Mr. Law: From the property line.

Ms. Murdock: From this existing property line.

Mr. Shimabuku: The center line, 10, 10, 'cause 20, yeah, is the required?

Ms. Murdock: Twenty is . . .

Mr. Nakamura: That's for the Fire one, right? For Public Works, the full right-of-way is the minimum . . . an urban-sized street is usually a 44-foot right-of-way, 10-foot shoulders. The curb face to curb face is 24. And then, yeah, so it's pretty wide.

Vice-Chairman Tanner: OK. I think we're going to . . . if there's anybody here that would like to make any further statements, we're gonna take a recess between now and the hearing at one o'clock. And you could save it till then, and we'll let you speak then at that point, but if nobody has anything else, and the Board doesn't have any more comments, we can go ahead and end the site inspection, and take a recess for about an hour and five minutes, and then we'll proceed with the hearing at one o'clock on schedule. Thank you very much.

The site inspection then ended at approximately, 11:57 a.m.

Respectfully submitted by,

TREMAINE K. BALBERDI  
Secretary to Boards and Commissions II

## **RECORD OF ATTENDANCE**

### **Members Present:**

Rick Tanner, Vice-Chairman  
Bernice Vadla  
Jacqueline Haraguchi  
Ray Shimabuku  
Teddy Espeleta

**Members Excused:**

Kevin Tanaka, Chairman  
Bart Santiago  
Gene "Clark" Abbott  
Patrick De Ponte

**Others:**

Carolyn Cortez, Staff Planner, Planning Department  
Trisha Kapua`ala, Staff Planner, Planning Department  
James Giroux, Deputy Corporation Counsel, Department of the Corporation Counsel  
Lance Nakamura, Civil Engineer, Development Services Administration  
Paul Haake, Captain, Fire Prevention Bureau