

LAND USE COMMITTEE

Council of the County of Maui

MINUTES

January 28, 2015

Lanai Community Center

CONVENE: 10:30 a.m.

PRESENT: VOTING MEMBERS:

Councilmember Robert Carroll, Chair
Councilmember Michael P. Victorino, Vice-Chair
Councilmember Gladys C. Baisa (in 10:36 a.m.)
Councilmember Elle Cochran (out 11:09 a.m., in 11:19 a.m.)
Councilmember Don Couch
Councilmember Stacy Crivello (out 11:09 a.m., in 11:20 a.m.)
Councilmember Don S. Guzman

NON-VOTING MEMBERS:

Councilmember Riki Hokama

STAFF:

Scott Jensen, Legislative Analyst
Raynette Yap, Committee Secretary
Denise Fernandez, Council Aide, Lanai Council Office
Morris Haole, Executive Assistant to Councilmember Robert Carroll

ADMIN.:

Michele McLean, Deputy Director, Department of Planning
Michael Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel

OTHERS:

Gwen Hiraga, Munekiyo & Hiraga, Inc.
Lynn McCrory, Senior Vice President of Government Affairs, Pulama Lanai
Ron McOmber
Alberta deJetley
Bradley Bunn
Judi Riley
Robin Kaye
Kay Okamoto
(10) Others

PRESS:

Brian Perry, City Editor, *The Maui News*

CHAIR CARROLL: . . .(*gavel*). . . This Land Use Committee meeting of January 28, 2015 will come to order. I'm the Land Use Committee Chair, Robert Carroll. May I please request, first of all, that everyone, please, if you have any cell phones or anything that makes noise, please turn it off. We have with us this morning Michael Victorino, the Committee Vice-Chair.

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VICE-CHAIR VICTORINO: Good morning, Chair.

CHAIR CARROLL: Elle Cochran.

COUNCILMEMBER COCHRAN: Aloha.

CHAIR CARROLL: Don Couch.

COUNCILMEMBER COUCH: Good morning, Chair.

CHAIR CARROLL: Stacy Crivello.

COUNCILMEMBER CRIVELLO: Good morning, Chair.

CHAIR CARROLL: Don Guzman.

COUNCILMEMBER GUZMAN: Good morning, Chair.

CHAIR CARROLL: And non-voting Member of the Committee, your Lanai representative, Riki Hokama.

COUNCILMEMBER HOKAMA: Chairman.

CHAIR CARROLL: Joining us later will be Gladys Baisa. With the Administration, Department of Planning, we have Michele McLean, Deputy Director. Department of Corporation Counsel, we have Mike Hopper, Deputy Corporation Counsel. The applicant's representatives, we have Gwen Hiraga, Munekiyo & Hiraga, Incorporated; Kurt Matsumoto, Chief Operating Officer, Pulama Lanai [sic]; Lynn McCrory, Senior Vice President of Government Affairs, Pulama Lanai. Committee Staff, we have our Committee Secretary, Raynette Yap, and Scott Jensen, our Legislative Analyst. Today, we have one, single item on our agenda. Members [sic], when you come to give testimony, you'll have three minutes with one minute to conclude. Mr. Jensen, public testimony is now open.

MR. JENSEN: Mr. Chair, the first testifier signed up is Ron McOmber.

MR. McOMBER (*from the gallery*): Can I move up until I hear the presentation? I mean this...I'd rather have...I'd rather react to the presentation than get...I mean I'd like to react to what Pulama is gonna say just besides...

CHAIR CARROLL: Committee Members, there has been a request to have public testimony after the presentation, and we have done that before. Is there any objection?

COUNCILMEMBERS: No objections.

CHAIR CARROLL: Ms. Hiraga, could you give your presentation now? We'll proceed with the presentation and then we shall go...one moment. ...(*Short pause*)... Before we have

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the presentation, let me let you know what it's about. Committee's in receipt of County Communication 14-161, from the Planning Director, transmitting a proposed bill entitled A Bill for an Ordinance to Change Zoning from Urban Reserve District to B-CT Country Town Business District for Property Situated at Lanai City, Lanai, Hawaii, for the Proposed Old Lanai Police Station/Courthouse Building". Ms. Hiraga.

. . . BEGIN PRESENTATION . . .

MS. HIRAGA: Thank you, Chair Carroll, members of the Land Use Committee, and Lanai citizens and residents. My name is Gwen Hiraga and I'm going to be doing a short PowerPoint presentation on the Change in Zoning application that was referenced by the Committee Chair Carroll. In terms of project overview, the applicant is Pulama Lanai. The consultant is our firm, Munekiyo & Hiraga, Inc. The location by TMK of the subject parcel is (2) 4-9-006:004. The size of the parcel is approximately 15,002 square feet. Before the Committee today is a Change in Zoning for this parcel that was referenced from Urban Design [sic] to Country Town Business. In terms of property location and I know that all of you here know the location but I'm going to point it out anyway. I'm sorry. Okay. So the property is located at this corner or out there. This is Fraser Avenue, Eighth Avenue--I'm sorry--and Gay Street. And this is the subject parcel. In terms of the site plan...currently existing on the property is a former residence or was referred to as the police lieutenant's house, and the police/courthouse building. This is laundry and a garage, and this is the good ole jail cell. This is just an aerial photo of the area, and I'm sorry, it's kind of hard to see with all of these colors. But basically, again, the aerial photo points out the subject parcel which is right here with the buildings on it and the surrounding property around it. Okay. So in terms of land use designation for the property, the existing land use designation is Urban, State Urban. The Lanai Community Plan designation is Commercial. And the existing zoning is Urban Reserve. The Change in Zoning request before the Committee today is to change the zoning from Urban Reserve to B-CT Country Town Business. This request is intended to enable the future use of the property for commercial, office, or retail use, proposed uses that are, that would be permitted within the Business Town Country, Business Country Town area. In terms of zoning designation just for clarification purposes, as I mentioned the existing zoning is Urban Reserve, and basically the Urban Reserve designation, at least one of the provisions is that, you know, it's to protect the health, safety, and welfare of the general public by accommodating a reserve of lands in the State Urban District for future development which is consistent with the Community Plan designation for these lands. Country Town Business is intended to establish development standards for businesses in the rural communities by preserving and maintaining the unique "country town" urban design character of the various rural business communities in Maui County. I, we have this map here that basically just shows the zoning in the area surrounding the, on the property itself and the surrounding area. And I apologize, it's hard to see, but again, the surrounding properties are Business Country Town. These are site photos. You're very familiar with these so I'll just quickly go through it. The first is the front of the police station/courthouse, that's this photo here, and another, the rear of the police station/courthouse. This is the residence or

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the lieutenant's house, and the rear side of the residence. The jail cell. And another, the southwest corner of the jail cell. And the garage and laundry room here, and this is a northwest view of the garage and laundry room. Okay. In summary, these structures were built in about 1935. In terms of processing of the Change in Zoning application, the Lanai Planning Commission reviewed the application in December of 2013 and recommended approval of the Change in Zoning to Business Country Town. In terms of the area itself, only minor improvements are being anticipated and will be initiated after the zoning is approved. And that's the end of my presentation. Chair Carroll, Lynn McCrory is here from Pulama Lanai to respond to any questions that Committee members may have. Thank you.

. . . END OF PRESENTATION . . .

CHAIR CARROLL: We'll get into questions later. Thank you. We will now begin public testimony. When you come to the microphone, please state your name and any organization you might be representing. Mr. Jensen?

. . .BEGIN PUBLIC TESTIMONY. . .

MR. JENSEN: The first testifier, again, is Ron McOmber.

MR. McOMBER: Thank you for that delay. Appreciate that. One thing we're missing here, this is a historic site. This is just not a commercial building that's no longer being used. This is our old police station. I remember when I first moved on Lanai, I see an image of the Police Lieutenant Kamana standing in that door and blocked the whole door. This is something that's etched in my mind. It's been etched in my mind since I've been here for 47 years. This is not just another commercial site. We cannot turn this into a commercial endeavor. This should be reserved as a historic site along with the jailhouse and the whole amenities. I urge this Committee that we go down that path rather than do something really stupid where you can turn it into a commercial operation. They've got enough commercial in this town. They don't need that historic site on Lanai City turned into something it shouldn't be. Thank you very much.

CHAIR CARROLL: Any clarification needed from the testifier? Hearing none, Mr. Jensen?

MR. JENSEN: The second testifier is Alberta deJetley.

MS. deJETLEY: Good morning, Councilmembers. Thank you very much for being here this morning. When this site was first brought up to the Lanai Planning Commission by Pulama Lanai, I immediately became really excited because I grew up here on Lanai and like Ron McOmber, I remember Lieutenant Creighton Kamana standing in front of the police station. This building is very historical. The cellblock was used during World War II for the, it was a place where the Japanese interns were held until they were transported out to concentration, immigration centers on the mainland. But I was reminded by Pat Riley this morning of the historical significance of this building.

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This building is too valuable for us to leave empty and to let it just sit there and not being used. It would make a terrific facility for an organization such as the Lanai Chamber of Commerce. I'm speaking for myself as an individual, although I am a Chamber member. If an organization like the Chamber could access the building and use it, it could become a viable, living part of our community instead of just another empty building. If the building was being used it would create, it would help to create traffic flow between the Lanai Cultural Center at the top of the square and the historical building at the bottom of the square. It would give people a reason to walk past all of our businesses down to the police station business. And it would also provide a perfect place for a taxi stand or a shuttle service that would be accessible for all of the visitors coming to Lanai. One of the things that we really lack on Lanai is a center where visitors can stop by, ask for information, sit and visit with local people. I envision the center being used as a community center where people can gather, where we have free Internet service, where people buying lunches at other businesses in the town could come and sit on the lawn under tables and umbrellas and have activity. Activity draws activity. We need to start moving Lanai forward into a community that supports all of its small businesses. As the owner of *Lanai Today*, we have more than 65 small businesses that advertise regularly at my newspaper. We need to encourage these businesses. We need to be supportive of these businesses. And I applaud Pulama Lanai for moving forward and trying to rezone this business so it can become a viable part of our future. Thank you.

CHAIR CARROLL: Any clarification needed from the testifier? Hearing none, Mr. Jensen?

MR. JENSEN: Mr. Chair, the next testifier is Bradley Bunn. Mr. Bunn will be testifying as a representative of Lanai Chamber of Commerce.

MR. BUNN: Councilmembers, applicant...

UNIDENTIFIED SPEAKER: . . .(inaudible) . . .

MR. BUNN: Is that better? Get a bite of that microphone, huh. Thank you for coming to Lanai. Thank you for this opportunity to speak. The board of directors of the Lanai Chamber of Commerce has met and discussed this issue, and the board is supportive of the applicant's request for a zoning change. The Chamber would like to see this property brought back to life, used in a manner that is consistent with its history but in a living way. And from the Chamber as Alberta pitched, we would certainly be interested in a portion of that facility. Thank you.

CHAIR CARROLL: Any clarification needed from the testifier? Hearing none, Mr. Jensen?

MR. JENSEN: The final person signed up to testify is Judi Riley.

MS. RILEY: Hi. Thanks for the opportunity to speak. My name is Judi Riley. I'm actually originally from Maui. I moved here...the day I signed my lease, the very next day Larry Ellison bought the island and I thought that was really weird. Because for inexplicably I was drawn to Lanai, and actually Alberta was very instrumental in

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helping me move here. And everything sort of tumbled into place. I've a background in teaching. I ran a couple of schools, independent schools on Maui. I taught like Willie Nelson's kids, Pat Simmons, and I love education. And I also have my own business and I'm a children's book author. So I have all these creative ideas and with my teaching background I actually have a vision for the old police station and I would like to turn it into an entrepreneur center. And about a year ago, I approached Pulama Lanai and I gave them my idea and they said there's no space. I said what do you mean there's no space? And as an outsider kind of becoming an insider, I realized that there is a lot of space but it's not being utilized. And there's a lot of red tape in to me, just getting a building. Recently I started a series of children's fabric dolls, and so I have a lot of people in the community that are helping me make the dolls. So one thing that's really, really important to me and it's been really hard for me is that everything has to be made in the islands. And now it's really important for me to have everything made here on Lanai. As a seamstress I have all of these skills to share with people but they come to my house. I have a wee little house and I'm at a point now I just got a grant from, to get industrial sewing machines and we're ready to go. I've also found out that at the school they have a closet full of sewing machines. They have a professional silk screening machine. There's a lot of these projects that get started but then they sort of fizzle out. People, they come up with these great ideas but then it's like this incredibly difficult to just overcome inertia here. Get the ball rolling. And I'm really excited to do that. And I have a background in a little bit of everything. I also have a background in social media and my handle is Tiki Tales, and I have, I'm quite involved in the Maui community. And I'm trying to start here a social media group of people to promote the businesses and bring more of a unification. And I'm really excited that people have all these ideas but it's not unified. And I'm really excited that people want to sew for me, but they also have their own ideas, they want to make their own clothing line, they want to make their own silk screens, they want to make their own children's clothes, adult clothes. And it's not just arts and crafts, this is quality material that goes into the high-end boutiques. I stock like Nuage Bleu and Hale Zen, the high end boutiques on Oahu as well as Maui. We do have a lovely arts and craft center that is more crafts. I'm interested in training people to have a real skill set that they can use to make quality products, and you have to charge a bit more because it's very expensive to live here.

MR. JENSEN: Three minutes.

MS. RILEY: Everybody needs a living. Pardon me?

MR. JENSEN: Three minutes.

MS. RILEY: Oh. Am I on a time limit? Oh. So am I done? Oh. Okay. Anyway, I would like the opportunity for the building. Thank you.

CHAIR CARROLL: Any clarification needed from the testifier? Hearing none, thank you. Mr. Jensen?

MR. JENSEN: Mr. Chair, there are no other...oh. Have you signed up?

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MR. KAYE: I will.

MR. JENSEN: Okay. You can sign up after. Would you like to introduce...

MR. KAYE: Yes, thank you very much. Sorry for not signing up first. My name is Robin Kaye. I'm speaking on behalf of myself. I understood that this meeting was about the zoning change, not about the usage for this building. So I support the zoning change, I think it's a great idea. But on the issue of use, wouldn't it be exciting to have this kind of conversation with Pulama as the building owner listening to what the community said would be the options. Alberta has one idea. This lady has another. I've got some. I'm sure there's lots of people who have ideas. All I'm asking you is to help us have a community conversation rather than simply a Pulama decision on how that really important building is used in the community. Thank you.

CHAIR CARROLL: Any clarification needed from the testifier? Hearing none, is there anyone else that wishes to give testimony in the audience, please come forward. After you're finished, if you could please go and sign the sign-up sheet in the front.

MS. OKAMOTO: I'm not as tall as these other guys. Yeah, I'm not at the right height. Okay. I'm Kay Okamoto, and again, I don't represent any particular group. I too am in favor of the zoning change and totally agree with Ron and with Robin that we've got to think of the historical part of the building and there should be a community discussion about it. One issue that has been discussed is possibly turning it back into a courthouse. It has always been the police station and the courthouse. The court right now is in a fairly large space that then maybe could be used for other kinds of activities, but it seems to be an ideal historical use. But it needs to be a discussion of the whole community. Thank you.

CHAIR CARROLL: Any clarification needed from the testifier? Seeing none, is there anyone else who wishes to give testimony, please come forward. Seeing none, if there's no objection, I will close public testimony.

COUNCILMEMBERS: No objections.

CHAIR CARROLL: Public testimony is now closed.

. . .END OF PUBLIC TESTIMONY. . .

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ITEM NO. 27: CHANGE IN ZONING FOR OLD LANAI POLICE STATION/COURTHOUSE PROPERTY (CC 14-161)

CHAIR CARROLL: Members, I'll repeat one more time, the Committee is in receipt of County Communication 14-161, from the Planning Director, transmitting a proposed bill entitled A Bill for an Ordinance to Change Zoning from Urban Reserve District to B-CT Country Town Business District for Property Situated at Lanai City, Lanai, Hawaii, for the Proposed Old Lanai Police Station/Courthouse Building. The purpose of the proposed bill is to grant a request from Lanai Resorts, LLC for a Change in Zoning from Urban Reserve District to B-CT County [sic] Business District for approximately 15,000 square feet located at TMK: (2) 4-9-006:004, on the corner of Eighth Street and Fraser Avenue, Lanai City, Lanai, Hawaii (the site of the Old Lanai Police Station and Courthouse). We'd now like to hear from the Planning Department's Deputy Director Michele McLean.

MS. McLEAN: Thank you, Chair. Good morning. Between your introduction just then and the applicant's presentation, that really did cover the basics, but I'm happy to offer any details on the B-CT District or any questions the Committee might have. Thank you.

CHAIR CARROLL: Thank you. Members, the floor is now open for discussion. Mr. Couch. Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chairman. I would first ask a few questions. One, knowing what the current Community Plan states, I am kind of disappointed the Department did not recommend some conditions, particularly regarding historic preservation. You guys put it in the report but yet you don't ask us in any way to protect what this community has chosen in its current Community Plan to protect and maintain and preserve. So I'll state my disappointment with the Department's comments. To the landowner, I would say within the permitted uses allowed between Business Country Town, I don't think you need all those permitted uses, and so I'm going to be looking at restricting and deleting some of the permitted uses such as automobile services, auditorium and theaters, bakeries, eating and drinking establishments, hardware/feed/garden stores, laundromats, parking lots, B&Bs, day care centers, medical facilities, multifamily dwellings, home occupation, short-term rental homes. That is not consistent with the island's needs or we have other places that's been zoned or you have already committed other spaces already for those specific type of community needs, and so I would ask you to consider if that's a concern for Pulama Lanai to eliminate some of the permitted uses that is allowed under Business Country Town.

MS. McCrory: Lynn McCrory, Pulama Lanai. No, that's not a concern.

COUNCILMEMBER HOKAMA: Okay. I would also ask, I would like a condition of zoning, and I'm not the attorney but somehow I would like language in that would say preserve the building and property in its current layout for historic preservation purposes. Is that, would that be a concern for your company, Ms. McCrory?

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MS. McCRORY: No, it's not.

COUNCILMEMBER HOKAMA: Another condition, in association with the preservation I would like, I've have had comments from the community, I think appropriate historical signage, maybe stating the historical importance, so that whether it's a new resident that's not a Lanaian yet but a new resident or the visitor can get a sense of why those things are under historic preservation and we've designated as such. Because then there's a connection on we understand why it's important to the community.

MS. McCRORY: Lynn McCrory, Pulama Lanai. No, that's not an issue. In fact, we are working on signage for a number of the buildings along Dole Park so that they're aware of just how important these were historically for the community. So no issue there.

COUNCILMEMBER HOKAMA: Okay. I appreciate the, your cooperation with that, Ms. McCrory. You've heard, you know, we, you know, the Council cannot require you to talk to the community, but you've heard the comments from the community that they would like some discussion on potential uses of the building within the permitted uses. And I've heard some great suggestions today of what may be. I think Mrs. Okamoto's comments about maybe we consider some of the past historical uses as potential future uses, particularly regarding the District Court requirements and whether or not that frees up more space up at the old admin building for more businesses. I would ask you to consider that request from the community. If the Council can be of assistance in moving forward the discussion, you know, I'm happy to do my part, but I would ask from your side if that's something you would please have a conversation as it was requested by the community.

MS. McCRORY: Lynn McCrory, Pulama Lanai. That's not an issue with us. We do monthly community meetings for Manele and we do community meetings on any number of projects. So no, no issue with that at all.

COUNCILMEMBER HOKAMA: Okay. I appreciate that, Ms. McCrory. Chairman, I'm done at this point in time. I'm happy to allow other Members to give their questions and comments.

CHAIR CARROLL: Thank you, Mr. Hokama. And I'll make this comment that Hana Culture Center and Museum has a lease on the Old Hana Police Station and Courthouse, and that courthouse is still functioning every month as a County courthouse and it worked out quite well. If you have any questions about how they can, did it, you can call up --

MS. McCRORY: I'm sorry.

CHAIR CARROLL: --the court and find out.

MS. McCRORY: I can barely hear you.

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UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

VICE-CHAIR VICTORINO: . . .*(inaudible)*. . .

COUNCILMEMBER COUCH: Get it close to your mouth.

CHAIR CARROLL: The...

VICE-CHAIR VICTORINO: There you go.

MS. McCRORY: There we go.

CHAIR CARROLL: Yeah. The Hana Courthouse in Hana is run how that, where it is an active courthouse under the court, and how it is structured you can call the court and they'll tell you how they structured it, but it worked quite well. Members...Mr. Couch.

MS. McCRORY: ...*(inaudible)*...

COUNCILMEMBER COUCH: I'm asking them questions. Thank you. Thank you, Mr. Chair. And this is to the Department. I noticed on the map, Page 4 of the presentation, and also if you look at the picture, certainly the jail cell and the residence appear to be right on the lot line. My concern is if there's any issue where this, the building would have to be rebuilt due to fire or whatever way it got destroyed, would it be grandfathered in or somehow allowed to be built in the same location when it's within the setback?

CHAIR CARROLL: Ms. McLean, do you have any comments?

MS. McLEAN: Thank you for the question. I've been conferring with Corp. Counsel on the latest revisions to B-CT, and while there was a provision to account for substandard lots, there was no provision to count, to account for nonconforming buildings. So the general nonconforming language would apply to this parcel. So if the building has lost 50 percent or more of its value, it would not be able to be, it would have to comply with setback requirements.

MR. HOPPER: This applies to substandard lots.

COUNCILMEMBER COUCH: Okay. So we...

MR. HOPPER: If the lot is normal . . .*(inaudible)*. . .

COUNCILMEMBER COUCH: He needs to take in the mic.

MS. McLEAN: The provision that was adopted in the recent updates to B-CT, relates to substandard lots. This is a standard lot because it meets minimum lot size. So if the lot were substandard, if it were smaller than the minimum lot size required then buildings would be able to be rebuilt within setbacks and their original footprint.

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That's not the case with this particular property because it's a standard lot. Basically there's room on the lot to comply with setbacks.

COUNCILMEMBER COUCH: To comply.

MS. McLEAN: With substandard lots there typically isn't enough room and so you can, the nonconformity could continue, but that's not the case for this.

COUNCILMEMBER COUCH: Even with the historical nature kind of thing, historical presentation? 'Cause if not, I would like to know if the Committee or the community would like things built in the same place, and should we allow for that.

COUNCILMEMBER HOKAMA: Chairman, if I can respond? Chairman, thank you for letting me respond. I think one way the community can have more say is we have a vehicle that's been drafted, it hasn't gone through process, but it's about Lanai's Business Town, Country Town standards and guidelines. That will be an ordinance, and through that ordinance, we can consider some of the unique challenges that Lanai faces and how this community wants to address those specific unique situations. And that would be a standard if adopted by the Council through an ordinance. And I would say that is one way we can adjust the Code to fit Lanai's unique needs through a standards that fit Lanai. Particularly our roads widths, our setbacks, signage requirements. It's got to be what fits Lanai. It may not work for Molokai, it may not work for East Maui and Hana, but if it works for us then that's something that we can do that's the Council, within the Council's authority and purview. So I would say we have opportunities to address a concern for Mr. Couch, and if that happens then I would say the Planning Department has to follow the Code.

COUNCILMEMBER COUCH: Thank you. And I guess the question would then be to either Planning or Corp. Counsel, can the guidelines override general...

UNIDENTIFIED SPEAKER: It would be a standard, not a . . . *(inaudible)* . . .

COUNCILMEMBER COUCH: I'm sorry. The standard, yeah. The design standards, can they override the B-CT Code as far as setback requirements? 'Cause I'd like to make sure that they can do the setback, you know, get inside the setback if necessary, put it right back.

UNIDENTIFIED SPEAKER: . . . *(inaudible)* . . .

COUNCILMEMBER COUCH: Yeah.

UNIDENTIFIED SPEAKER: . . . *(inaudible)* . . .

MR. HOPPER: Well, Mr. Chair, one thing we're looking at is whether or not the building actually has any setback requirements. The design standards in B-CT have a, they do not have a front yard setback requirement, and the side and rear yard setback requirements say if it abuts a other property that has a setback then it would take on

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the setback of the side or rear lot properties. And in this case I don't know if Planning would look into it a bit more, there may not be setback requirements in this particular area. So that's the first point. The second point is we can go through the B-CT and look at that again. I mean it would, if something like that's being adopted you would want to make clear that that essentially is going to be your zoning, your setback requirement. So if you wanted to adopt a set of standards that says in B-CT there's no setback requirements that would be a potential thing the County could do. I mean the Council of course through ordinance sets the setback requirements for buildings in a given zoning district, so that's something the Council can do because it has the power to enact ordinances which is what actually determines the setbacks. But I think the first question would be whether or not there actually are any setback requirements for the building. There's definitely no front yard setbacks. As far as side and rear, we're not particularly certain.

CHAIR CARROLL: Thank you. Members, anyone else if I'm not catching your eye over here? If not, I am going to give my recommendation.

COUNCILMEMBERS: Recommendation.

COUNCILMEMBER HOKAMA: Chairman, before . . . *(inaudible)*. . . may I ask a few questions?

CHAIR CARROLL: Yeah.

COUNCILMEMBER HOKAMA: Ms. McCrory, just some questions. I would think that, you know, for the Council and our community, if this zoning goes through, is there any anticipated additional requirements as the landowner to do work on the structure before you would start considering potential users and uses for the site, please?

MS. McCRORY: Lynn McCrory, Pulama Lanai. No, there is no plan to do any work on the site until we're final with what the use will be.

COUNCILMEMBER HOKAMA: Okay. So let's say Council grants zoning February 1st, just for...your time table for potential community consideration and lease to a community entity would be what, within a couple of months after that? I mean just so that for those that are serious about a potential business plan that they want to come and talk to you for space so they can kind of gear up.

MS. McCRORY: I would probably say closer to three or four months, because we do want to look at that option for the courthouse which means we have to discuss things --

COUNCILMEMBER HOKAMA: Okay.

MS. McCRORY: --with the Judiciary.

COUNCILMEMBER HOKAMA: Okay.

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MS. McCRORY: And that may not get us an immediate answer. Or look at other options where it could be utilized backwards either to the State or the County also. And so we'll have to go through those explorations before we can actually say okay, this is a no, this is a yes, this is a no, and then go back to the community I think at that point with what options we have that we can see, and then from there. So I would say probably three to four months of discussion time is what that's going to take.

COUNCILMEMBER HOKAMA: Okay. Thank you for sharing that. Chairman, thank you very much.

CHAIR CARROLL: Thank you, Mr. Hokama.

COUNCILMEMBER HOKAMA: I think Planning has a comment, Chair.

CHAIR CARROLL: Planning Department.

MS. McLEAN: Thank you, Chair. As the Committee formulates its motions and amendments, because the B-CT District was revised lately, we have a copy of the latest list of permitted uses. So if you...

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

MS. McLEAN: The, since the report was done the Council revised the B-CT District. So if the Committee is going to be putting restrictions on uses, we have the latest version here, so you might want to refer to that language so that it's clear what you're restricting and what you're allowing.

CHAIR CARROLL: Thank you. Anything further before the Chair gives his recommendation?

VICE-CHAIR VICTORINO: No, recommendation, Chair.

CHAIR CARROLL: Mr. Couch.

COUNCILMEMBER COUCH: I noticed...I know Mr. Hokama would like to change some permitted uses or...

CHAIR CARROLL: Mr. Couch, after I give my recommendation then we can make amendments.

COUNCILMEMBER COUCH: Well, but I would like to see the list of what is really permitted compared to this list so I, before your recommendation, if that's possible.

CHAIR CARROLL: We're going to take a ten-minute recess. This Committee now stands in recess. . . .*(gavel)*. . .

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RECESS: 11:09 a.m.

RECONVENE: 11:18 a.m.

CHAIR CARROLL: . . .*(gavel)*. . . This Land Use Committee meeting is now called back to order. And I would be remiss, Ms. Gladys Baisa walked in right after we started and I did not welcome her. Thank you for being here, Ms. Baisa.

COUNCILMEMBER BAISA: Thank you. Pleasure to be here.

CHAIR CARROLL: All right. If there's nothing further right now, I'll give my recommendation, and then we can get into any possible amendments. Any objection?

COUNCILMEMBERS: No objections. Recommendation?

CHAIR CARROLL: The Chair would entertain a motion to recommend passage on first reading of the proposed bill entitled A Bill for an Ordinance to Change Zoning from Urban Reserve District to B-CT Country Town Business District for Property Situated at Lanai City, Lanai, Hawaii, for the Proposed Old Lanai Police Station/Courthouse Building; incorporating any nonsubstantial technical revisions and the filing of the County communication.

VICE-CHAIR VICTORINO: So move, Mr. Chair.

COUNCILMEMBER COUCH: Second.

CHAIR CARROLL: Been moved by Mr. Victorino, seconded by Mr. Couch. Discussion? Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, I'm happy to give the floor to any of your current Voting Members a first opportunity if they so desire. Since I'm not a Voting Member I'm happy to give your Voting Members an opportunity to give their suggestions or amendments first if they have any.

CHAIR CARROLL: Is anybody wishes to bring up anything before I turn the floor back to Mr. Hokama?

VICE-CHAIR VICTORINO: Waiting for his suggestions, Mr. Chair.

CHAIR CARROLL: Mr. Hokama, you may proceed.

COUNCILMEMBER HOKAMA: Chairman, thank you. I would ask the Committee for consideration of an amendment. One would be to make the following adjustments regarding uses under Business Country Town, and I appreciate the, and I'll state it for the record that I appreciate the cooperation of Pulama Lanai in working with the Committee on this. Under permitted uses, I'm recommending the Committee delete the following permitted uses: one, amusement and recreational activities; two, animal

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hospitals including boarding; three, auditorium, theatres, gymnasiums, including fitness center, private clubs, and dance halls; four, automobile services: five, bread [sic] and breakfast homes; six, combination of dwelling units with other permitted uses in the same building; seven, communication equipment and antenna; eight, day care centers; nine, drinking and eating establishments; ten, farmers' markets; eleven, hardware, feed, and garden stores; twelve, home occupations; thirteen, libraries; fourteen, multifamily dwellings; next, parking lots; and finally, personal and business services; and let's see, pet shops, correct; recycling collection center, redemption center; religious, benevolent or philanthropic societies; short-term rental homes; swap meet or open market; taxicab, car rental, U-drive stations; and warehouse facilities. Under accessory uses: deletion of energy systems; food and agriculture product manufacturing and processing; and...is that accessory uses, and finally energy systems, small scale. Under special uses: deletion of public utility substations; telecommunication offices and facilities; TVRs or transient vacation rentals; vehicle bodywork/framework uses; and that's it, Chairman, as my recommendation for deletion of permitted special and accessory uses under Business Country Town.

CHAIR CARROLL: All right. Mr. Victorino, could you make a motion?

VICE-CHAIR VICTORINO: So I move the items as listed below, I move the items as been listed by Mr. Hokama be removed.

COUNCILMEMBER COUCH: Second.

CHAIR CARROLL: Been moved by Mr. Victorino, seconded by Mr. Couch. Discussion?

VICE-CHAIR VICTORINO: Mr. Chair?

CHAIR CARROLL: Mr. Victorino.

VICE-CHAIR VICTORINO: Thank you. And thank you, Mr. Hokama. And thank you community for being here to help us make this decision based upon your wants and needs and not just the company. So I thank you very, very much. I think and the company has been very gracious in accepting these changes and I think they'll be beneficial for all, especially the future generations that will come here to Lanai to work and grow up and live here and have the ability to remember the historic district of that area. So thank you very much.

CHAIR CARROLL: Mr. Couch, do you have anything to add?

COUNCILMEMBER COUCH: Yeah. Just for the record, was, can we ask the applicant if that, if they have concerns with any of that?

MS. McCRORY: If...I'm sorry?

COUNCILMEMBER COUCH: If you had any concerns with that list that was just listed.

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MS. McCRORY: Lynn McCrory, Pulama Lanai. No concerns with the list.

CHAIR CARROLL: Mr. Hokama, do you care to make any further comment? Hearing none, all in favor of the motion on the floor, signify by saying, "aye".

COUNCILMEMBERS: Aye.

CHAIR CARROLL: Opposed? Motion carried, six "ayes", no "noes", one excused. Alright, Mr. Hokama?

COUNCILMEMBER HOKAMA: Chairman, I would ask for the following condition or...I don't have a problem us, the Committee concerning combining...

VICE-CHAIR VICTORINO: Excuse me, excuse me.

COUNCILMEMBER HOKAMA: Yes, sir.

VICE-CHAIR VICTORINO: I hate to interrupt, but let's make a correction. There's seven Members present, seven. We have all seven Members, Mr. Chair, I apologize. We have seven Members that are present, so I think the vote should be seven, zero, no nays.

COUNCILMEMBER HOKAMA: You're right.

VICE-CHAIR VICTORINO: Seven, all seven Members are present.

CHAIR CARROLL: Oh, excuse me. If there's no objection, we shall make that change. Thank you.

COUNCILMEMBERS: No objections.

**VOTE: AYES: Chair Carroll, Vice-Chair Victorino,
Councilmembers Baisa, Cochran, Couch,
Crivello and Guzman.**

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

ACTION: APPROVED AMENDMENT.

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VICE-CHAIR VICTORINO: I apologize.

COUNCILMEMBER HOKAMA: No, no. Thank you for the correction, Mr. Victorino. To the Committee, I would recommend your consideration for a motion for a condition of zoning which, where the condition would read, again, with clearance from Corporation Counsel, the preservation of buildings and the property in its current layout for historic preservation purposes, including signage of its historical nature, would be my request to the Committee.

CHAIR CARROLL: Mr. Victorino.

VICE-CHAIR VICTORINO: Thank you, Mr. Chair. I move to accept the changes, the conditional changes that Mr. Hokama has just recommended.

COUNCILMEMBER COUCH: Second.

CHAIR CARROLL: Been moved by Mr. Victorino, seconded by Mr. Hokama.

COUNCILMEMBER COUCH: Couch.

CHAIR CARROLL: Mr. Victorino.

COUNCILMEMBER COUCH: Couch.

COUNCILMEMBER HOKAMA: Mr. Couch made the second.

COUNCILMEMBER COUCH: I made the second.

CHAIR CARROLL: Yeah.

COUNCILMEMBER COUCH: But you said, "Hokama".

CHAIR CARROLL: Oh, I'm sorry. Yeah, it's hard 'cause he's right here. Mr. Couch, alright. Mr. Victorino.

VICE-CHAIR VICTORINO: Thank you. And again, thank you, Mr. Hokama, those changes I think will be, again, well received by the community. And I'll ask the same question so we don't have to go to Mr. Couch, does the company have any objections to that conditions?

MS. McCRORY: No, we do not. Lynn --

VICE-CHAIR VICTORINO: Thank you very...

MS. McCRORY: --McCrorry, Pulama Lanai.

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VICE-CHAIR VICTORINO: Thank you very much. Thank you, Chair.

CHAIR CARROLL: Corporation Counsel.

MR. HOPPER: Thank you, Mr. Chair. I think it may be helpful to get some guidance on exactly what they would mean. Would this prohibit the renovation of the buildings or, you know, to what degree would there be a limitation on preservation for historic purposes? I know that for historical preservation there is a, there's a lot of technical options that both the Federal government and State government rely on as far as different ways of preserving buildings, but would maybe be helpful to get a bit more guidance. We can perhaps draft a condition for first reading that would hopefully be satisfactory. But, you know, as far as preserving the buildings, I can understand obviously 100 percent demolition would be something that would be prohibited. But are, is it a less than 50 percent, is it no renovations whatsoever even if there're structural repairs and things like that? That would be the only concern. Can the buildings be repainted or something like that? Those would be the types of details that I think the departments may be faced with, maybe even the Public Works Department if you're talking about a Building Permit to do something or maybe even an activity that doesn't require a Building Permit. It's those types of details that I know it's maybe tough for the Committee to envision now but I think may come up if down the line there'd be a plan for that. Maybe knowing more of the company's plans or what the Committee had in mind would be helpful as well.

CHAIR CARROLL: Thank you. Mr. Couch.

COUNCILMEMBER COUCH: Thank you. The question I would have for Mr. Hokama and the Planning Department is, are there already guidelines and restrictions for buildings in the Historic District? And if that, if there are, would that be what he, what you, Mr. Hokama, would like to follow?

CHAIR CARROLL: Ms. McLean.

MS. McLEAN: Well the Council is considering establishing B-CT zoning for this, so this is not in a historic district. But there is, there are laws governing changes to structures that are 50 years old or older which these clearly are, and changes to the exterior of the structures and the structural components of the structure would have to be reviewed by State SHPD before Building Permits or Demolition Permits, any kind of permits like that could be issued. It's hard to say that such changes could be outright prohibited. It's, there's a fair amount of gray in the law between what an applicant might propose and I'm not suggesting this applicant would propose that, but if an applicant does propose radical changes to a building, how far the State or the Planning Department can go in saying do not issue that Building Permit or do not issue that Demolition Permit. Typically what happens is mitigation is imposed, and mitigation can actually be documentation, not preserving the structure but documenting it very well so that if someone someday wants to recreate that structure then all the documentation is available to do it. But it doesn't prohibit the demolition or change of the structure. It, there can be long delays in the process to do it, and

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that's one you often see what's called demolition by neglect 'cause so much time passes and a building just deteriorates. So there are I would call them safeguards in the law but it's not absolute protection.

COUNCILMEMBER CRIVELLO: Chair?

CHAIR CARROLL: Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you. I guess my question is, are these buildings registered with the State Historic? It appears as though it's not registered with national. So that would be actually, wouldn't that be the protective process for the buildings if it's actually registered either with State Historic or national and at that time then those applications are applicable?

MS. McLEAN: The buildings are eligible for listing but they have not been --

COUNCILMEMBER CRIVELLO: Yeah. You can be eligible but it's not, right?

MS. McLEAN: --listed. And the listing would provide some additional protections, but again, I can't go so far as to say that protection would be absolute.

COUNCILMEMBER CRIVELLO: I only ask this because on Molokai we did a process of restoring a historic building that was totally neglected, and I just hope through this process that it will not just be standing. Because it...anyway, we went through a process and we had it registered with the State Historic Preservation, actually register it, so that then the renovations are done only in accordance to what is required from the Historic Preservation.

COUNCILMEMBER COUCH: Mr. Chair?

CHAIR CARROLL: Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And just for the Members' knowledge is that in our upcoming meeting in the Plan, the Plan has an action to I believe get these on that national historic list. That's why I was concerned 'cause in reading the Plan it says put these on the list, and then we have a, somebody wanted to change zoning that could potentially bring them down. So that is going to be discussed a little bit later on in our Community Plan meeting as well. So hopefully we can get those on the list.

CHAIR CARROLL: And I might remind the Committee Members, as I understand it, it has not been accepted yet, it's proposed to be on the State. So you can consider that when you're considering the motion also, because this is not a preserved building in the Historical Register, the State one is just proposed at this time.

UNIDENTIFIED SPEAKER: . . .(inaudible). . .

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CHAIR CARROLL: Yes.

MS. McCRORY: Lynn McCrory, Pulama Lanai. Just wanted to comment on the previous buildings that we have that we're restoring or have restored. We have gone through HABS reports which is Historical Architectural Building Surveys that are turned into the National Park Service. We have done that on the theater. We have done that on the three houses that we actually did demolition for. We've done that for the hospice house as it's called and then an additional house adjacent to that. So and a HABS report was done on these buildings earlier by Castle and Cooke. And then from those reports the plans are submitted, they go through Cultural Resource Commission for the County, and then they're also reviewed by State Historic Preservation. So on any building that's over 50 years, this is the normal process that we would go through. It isn't a matter that we would just kind of go in and do something. So I think you already have your preservation pathway already in the process and in the works and ones that we have followed on innumerable buildings already. Thank you.

CHAIR CARROLL: Thank you. Mr. Hokama.

COUNCILMEMBER HOKAMA: For our community's understanding, Director McLean, the current Community Plan says preserve that current site. So when an application comes in today under the current Community Plan and there's no guidelines and standards for Lanai as of this time, specific guidelines and standards, how does the Department review such an application under the current Community Plan guidelines regarding preservation of the site?

MS. McLEAN: So if an application came in today to make dramatic changes to those structures, the prevailing requirement would be the 50-year-old or older review process. That would be more stringent than the Community Plan language.

COUNCILMEMBER HOKAMA: Okay. I just wanted the Committee to know that there is a process currently in place to review anything over 50-year olds including most of our houses that we live in in this community. So I appreciate that response. And I appreciate the Committee. I appreciate Corp. Counsel's comments, and I would say if you could please work with the Committee for an appropriate language amendment for first reading that would be appreciated. 'Cause it is my understanding that the community wants these buildings maintained in its current physical sense. I understand the needs for updates, whether it be for electrical or plumbing. I don't have a, you know, issue regarding public health and safety requirements for the building to be utilized by the community, so those things, you know, I can. But I would hate for see it to be changed so dramatically that it's not what it is or supposed to be. That I think would go against what we've been trying to preserve. And so knowing that, you know, for those of us, you know, like my family has been here building this city in the '30s. So, you know, for people like me who's been here forever, we have a connection to that building besides the land, and so for us it's...well I'll say for me it's a very paternalistic thing. Yeah. It's my, you know, people like us take the responsibility of stewardship very seriously on this island, so I hope we're communicating that to the Department and Corp. Counsel to help structure

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appropriate language for us to implement those desires from the community. Thank you.

CHAIR CARROLL: Thank you. Corporation Counsel, do you have a comment?

MR. HOPPER: Thank you, Mr. Chair. Yes, the issue with the, some guidance from the Committee was that, I mean the 50-year review process is in the State law anyway. That's going to be regardless of if the zoning changes or not. If it's 50 years or older for the Building Permit, it's going to be there. It sounds like the Committee would like a condition that would be more strict potentially than the 50-year review process. If the 50-year review process by SHPD as the Committee understands it is sufficient then a condition would not be required to go beyond that. A condition would be necessitated if there were going to be more stringent requirements, for example, to ensure that the structures as they are currently stand shall be preserved, basically the building footprints be preserved and that, I don't know, renovations may be allowed or maintenance may be allowed or something like that, but the, you know, any works that requires a Building Permit is going to have to go through that review process. But as the Deputy Director stated that process could allow even as much as demolishing the buildings potentially, so I'm not sure how much of a safeguard that would necessarily be. So if there's going to be some sort of statement that the building shall not be demolished or something to that effect, we can come up with language but how strict it's going to be could depend on the will of the Committee. If, it sounds like building, plumbing, and electrical repairs would be permitted, although if there's a Building Permit for that, that'd still have to go through the 50-year review process. But that some type of substantial changes would not be allowed, and that brings in the challenge of the Department of Public Works having to review that and determine is something substantial, is it 50 percent or more of the value of the building or something like that. But trying to articulate that, I can take a stab at it, but the 50-year review process will be in place and the condition would be required for something more strict than that, because that's in place regardless of what happens here. And certainly a condition would be appropriate given the Community Plan language with respect to this potential Change in Zoning. But we would really need to look at, you know, we can try a condition on first reading, would like to obviously avoid a lengthy discussion at the full Council if possible, but we can, you know, work with Staff to try to come up with something. But that's my only concern right now is I don't want to feel like we're going to be making that policy decision.

CHAIR CARROLL: Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. Would it be possible to put in the condition, just say that the restriction, it would be the same restrictions as a house listed on, as a building listed on the Historical Registry or subject, it would be subject to the same restrictions potentially. Would that...

MS. McCRORY: I would hesitate to answer as I don't know what those restrictions are.

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COUNCILMEMBER COUCH: Well ultimately I believe it's going to be put on the Registry or that's what the, or at least that's what the intent of the current draft of the Community Plan. So okay, hang on.

CHAIR CARROLL: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, I would recommend that, you know, my understanding of the community's wants is that they want the building to continue to exist, so demolition is definitely a no-no. Okay. So I understand Corp. Counsel's comments. I have my shortcomings with Federal designation, 'cause in the end control of what happens to the property goes to a Federal level. I think the community wants it at the community level on what happens to that site and working with the landowner. So I'm not too sure it's in the best interest of the community to go seek Federal designation, 'cause I would like to see community control, community decision and not a Federal bureaucrat someplace in Region 9 or in Washington D.C. to make the decision about Lanai and its historical sites. But that's something the Committee will have an opportunity to share this evening when we bring up the Community Plan discussion and whether or not...

MR. McOMBER *(from the gallery)*: ...*(Inaudible)*...

COUNCILMEMBER HOKAMA: I understand, Mr. McOomber, but that's for another meeting. But again, that's what I feel is more for the community's desires and where we want to go to retain local jurisdiction and control on these items.

CHAIR CARROLL: Planning Department.

MS. McLEAN: Chair, here's some suggested language: The four, existing historic buildings on the subject property shall be adequately maintained to preserve their historic character and integrity.

COUNCILMEMBER HOKAMA: I'm happy to...you know, they're the professional planners, members of this Committee, so I, at this time I'm happy to ask you to forward that. The community has heard it, they'll be able to give us testimony before first reading if that is not acceptable or they want it revised to other changes. So I'm happy that at least we can get this concept on the record and as part of the legislation. Thank you.

CHAIR CARROLL: Mr. Hokama's proposal is acceptable to the Chair. Any further discussion to the motion on the floor?

COUNCILMEMBER HOKAMA: As presented by Planning Department, Chairman. Can you read that for the record...

CHAIR CARROLL: Yeah, please.

VICE-CHAIR VICTORINO: You want to change to that now?

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CHAIR CARROLL: Can...

VICE-CHAIR VICTORINO: So let me withdraw my...

UNIDENTIFIED SPEAKER: Mr. Victorino is going to have to make . . .*(inaudible)* . . .

VICE-CHAIR VICTORINO: Okay, let me withdraw my motion so that then we can do it cleanly. When you bring it then I'll make the motion according to your change.

CHAIR CARROLL: Any objection to the motion being withdrawn?

COUNCILMEMBERS: No objection.

CHAIR CARROLL: The motion is withdrawn. Ms. McLean.

MS. McLEAN: The language we proposed is the four, existing historic buildings on the subject property shall be adequately maintained to preserve their historic character and integrity.

VICE-CHAIR VICTORINO: Mr. Chair, I make that motion.

COUNCILMEMBER COUCH: Second.

CHAIR CARROLL: Been moved by Mr. Victorino, seconded by Mr. Couch. Discussion?

VICE-CHAIR VICTORINO: Is that acceptable to the...

CHAIR CARROLL: Is that acceptable to the applicant?

MS. McCrory: Lynn McCrory, Pulama Lanai. Yes, it is.

CHAIR CARROLL: Thank you. Any further discussion? All in favor of the motion, signify by saying, "aye".

COUNCILMEMBERS: Aye.

CHAIR CARROLL: Opposed? Motion carried, seven "ayes", no "noes".

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**VOTE: AYES: Chair Carroll, Vice-Chair Victorino,
Councilmembers Baisa, Cochran, Couch,
Crivello and Guzman.**

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

ACTION: APPROVED AMENDMENT.

CHAIR CARROLL: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, since it was a revised amendment, or amendment that was adjusted, I would ask for a final condition that I believe Pulama Lanai has agreed to which is the signage, historical signage for the property site as part of the conditions of zoning, please.

VICE-CHAIR VICTORINO: Okay. I move that the proposal made by Mr. Hokama as far as the historic signage be moved ahead.

COUNCILMEMBER COUCH: Second.

CHAIR CARROLL: Been moved by Mr. Victorino, seconded by Mr. Couch. Does the applicant have any comment?

MS. McCrory: That is fine. Lynn McCrory, Pulama Lanai.

CHAIR CARROLL: Thank you. Any further discussion to the motion on the floor? Hearing none, all in favor, signify by saying, "aye".

COUNCILMEMBERS: Aye.

CHAIR CARROLL: Opposed? Motion carries, seven "ayes", no "noes".

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**VOTE: AYES: Chair Carroll, Vice-Chair Victorino,
Councilmembers Baisa, Cochran, Couch,
Crivello and Guzman.**

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

ACTION: APPROVED AMENDMENT.

CHAIR CARROLL: The floor is still open. Anybody have any further amendments or discussion before I call for the question? All those in favor of the motion on the floor as amended, please signify by saying, "aye".

COUNCILMEMBERS: Aye.

CHAIR CARROLL: Opposed? Motion carries, seven "ayes", no "noes".

**VOTE: AYES: Chair Carroll, Vice-Chair Victorino,
Councilmembers Baisa, Cochran, Couch,
Crivello and Guzman.**

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

**ACTION: FIRST READING of revised bill and FILING of
communication.**

CHAIR CARROLL: Thank you, everyone. Thank you for all the people from Lanai for attending, we really appreciate your participation.

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MR. McOMBER *(from the gallery)*: ...*(Inaudible)*...

CHAIR CARROLL: This meeting is now adjourned. . . .*(gavel)*. . .

ADJOURN: 11:45 a.m.

APPROVED:



ROBERT CARROLL, Chair
Land Use Committee

lu:min:150128:ds

Transcribed by: Daniel Schoenbeck

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CERTIFICATE

I, Daniel Schoenbeck, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 13th day of February, 2015, in Kula, Hawaii



Daniel Schoenbeck