

**URBAN DESIGN REVIEW BOARD
REGULAR MEETING
JUNE 2, 2015**

APPROVED 08-04-2015

A. CALL TO ORDER

The regular meeting of the Urban Design Review Board (Board) was called to order by Mr. Hunton Conrad, Chair, at approximately 10:00 a.m., Tuesday, June 2, 2015, in the Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

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

Mr. Hunton Conrad: Call the Urban Design Review Board to order. I'm Hunton Conrad, the Chair and we shall proceed. A quorum is present so we may continue this morning's agenda. The first order of business is to call for any public testimony. If you cannot be here when we actually have the group in front of us. If you'd like to testify now, you're welcome to. You can't testify again. So if you want to testify now and go on with your day you're welcome to do that. Otherwise we'll call for testify when the two agenda items are up.

I'm not speaking into the mic. Sorry. Alright, so the first order of business today is . . . (*Chair Hunton Conrad read the project description of agenda item C1 into the record.*) . . . So this is a design aspect meeting. So if there is any public testimony which appears to be. So we can call the first person here is Mr. Jeremy Peterson.

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 items are 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.

Mr. Jeremy Peterson: I'd like to . . . (inaudible. Did not speak into a microphone.) . . .

Mr. Conrad: Presentation? Yes, you may do so. Kathy Bento? Same? Okay. Linda Berry? Okay. Thank you. Scott Hergott? Thank you. Mike Moran? Thank you. Rachel Domingo? Thank you. Gary Redfern? Thank you. And Charlene Schulenburg. Sorry if I didn't get it correct. Schulenburg. Be aware that since there's so many citizens here today's meeting that we're going to limit your testimony to three minutes per person. Thank you. State your name.

Ms. Charlene Schulenburg: Sorry about that. I wasn't planning on it going this fast. Hi. Charlene Schulenburg here. I'm a resident of Kihei, very nearby to the proposed design of Walgreens. I'm coming into this a little bit late, so I apologize. I'm sure there had been other discussions about this so I may be commenting about things that have already been discussed so I'll keep it short and sweet and to the point. But I'm a little concerned, and I'm a little distressed about this from the standpoint that there's so many things on Maui that are changing in really big ways, that are uncomfortable. In just the last five years I've seen Kihei restaurants just, mom and pop places just disappear. I think it's upsetting that we're losing a piece of what

makes Maui so incredibly special, and this Walgreens things feels like a big box of Walmart type organizations. And Long's Drugs is right across the street. And from my little knowledge of Walgreens they seem to be a little bit . . . (inaudible) . . . like and that they seek out what seems to be Long's Drugs locations and then try to get right across the street. I don't know how many of you live in Kihei, but Long's Drugs that is in the center area there near Azeka's and Piikea and all that, they don't even keep that 100% stocked, so the demand is not there for an additional type store like a Walgreens, and especially not another pharmacy. We just don't, don't need quite frankly.

So this near homes. A drive-thru aspect of it would be very, very disconcerting. It's just inappropriate for the area. And there was another option, or, or, off group, Ace Hardware, that tried to go in the same space years ago. I don't know the exact timing, and they were turned down, and they're a local business. So, I don't know why we would be considering this at this time. And like I said, I apologize if I'm bringing stuffs up that's already been discussed. But I am distressed about this, and I hope it's looked at from a holistic standpoint. I understand individual companies have the right to, you know, want to develop and all of that good stuff. But, I hope that this is really, really examined from a holistic standpoint in how this impacts Kihei as a whole. I think that's mainly what I have to say, and thank you for listening.

Mr. Conrad: Thank you very much.

Ms. Schulenburg: Thank you.

Mr. Conrad: And we one more person, James Boulton. Would you like to speak now, or would you like to speak after the presentation? It's your choice sir. Thank you. Okay Ann.

C. COMMUNICATIONS

1. **MR. LAWRENCE ADLER of WALGREEN OF MAUI INC. requesting the following land use entitlements for the Walgreen's Kihei Store, a 14,550 sf building and related improvements located at the southeast corner of South Kihei Road and Nohokai Street, TMK: 3-9-007: 037 to 040 and 3-9-008: 016, Kihei, Island of Maui. (Ann Cua for Candace Thackerson)**
 - a. **Change in Zoning from R-3 Residential to B-2 Community Business District, TMK: 3-9-007: 037 to 040 (CIZ 2015/0003)**
 - b. **Special Management Area Use Permit for TMK: 3-9-007: 037, 038, 039, 040 and 3-9-008: 016. (SM1 2015/0005)**

The Board may provide its recommendations to the Maui Planning Commission on the design aspects of the Special Management Area Use Permit plans within the purview of the board.

Ms. Ann Cua: Good morning Mr. Chair and members of the Board. I just want to make a couple of opening comments before I introduce the applicant. The reason why this project is coming before you is because they've applied for a Special Management Area (SMA) Major Permit.

The parcel -- the, the project will sit -- is proposing to sit on five parcels. Four of the parcels need a Change in Zoning, to go to business, and one parcel is already zoned business. The Kihei Community Plan for these five parcels is all designated business. So the long term plan for these five parcels is business. However the zoning as it stands today for four of the parcels is R3 Residential. They're applying for a Change in Zoning to go from R3 Residential to B2 Community Business District for four of the parcels, and the large parcel, parcel 16 is already zoned for the, for the proposed use. So I just wanted to kind of make preface, preface of the presentation.

Yeah, so I think at this point I'll have the applicant go through the project with you. And then when we come back I know that you go through and make your comments, and then make your recommendations. The Department will put a letter together on your behalf with your recommendations, and we will include that in our report that goes to the Planning Commission. And just for your information, the Planning Commission will review this project a minimum of three times. Next week Tuesday we're going to the Commission for the Draft Environmental Assessment (DEA), and then after that they'll have to get a Final Environmental Assessment (FEA) approved, and then they're able to go to the Commission for a public hearing on the Change in Zoning and the SMA Permit. So that's the process, and so because again, because of the SMA the application is -- the SMA application is required to come to you for design review. So with that I'd like to introduce Tom Schnell of PBR and he'll start the applicant's presentation.

Mr. Tom Schnell: Good morning Board members. I'm Tom Schnell. I'm with PBR Hawaii. PBR Hawaii is planning and landscape architecture firm, and we're heading up the processing of the permits for this project. With me today is Jeff Benner who's our project architect. He'll clue you in on the design. And we also have Darren Unemori who's our civil engineer.

Let me just orientate you a little bit towards the site on the power point. So I'll talk about these elements, or, or members of our team will talk about these elements: the architectural design, the landscape design and the site design.

So the property is in Kihei. It's on South Kihei Road, and South Kihei Road is right here. Kihei Center is right here where Long's is. McDonald's is right here. Nohokai Street is this street right here, and it's approximately two acres. As Ann said, it's five individual parcels. This is what's on the site now. You can see McDonald's entrance is right here, and there's a, I guess, it's a craft fair, kind of a flea market of thing, if you're familiar with that area. This is the craft fair over here. McDonald's is down here. This is South Kihei Road. Nohokai Street is here, and this is the large gravel parking lot for the craft fair. So another view of the parking lot. This is Haleakala. South Kihei Road right here. That picture was taken from Nohokai Street. And the craft fair function is here. And this is a picture of just a typical booth at the craft fair. It's a permanent kind of a setting. I don't think these guys pack up every night. It's not a craft fair like we see at the park I don't think.

So all of the area and the surrounding area is in the State Land Use District Urban. The Kihei Community Planning designates McDonald's is here, Long's is over here, and our parcels are right here. It is business on the Kihei Community Plan, as well as across the street is business.

And actually these two parcels across Nohokai Street are designated business also. There's currently houses there, and it's currently zoned residential.

On the zoning, Ann mentioned that this large parcel is already zoned Business, B2 Community Business. These parcels are zoned Residential, and so we're going in for the Change in Zoning of Residential to B2 for these. And that would be in conformance with the Kihei Community Plan. We're in the Special Management Area as most things makai of Piilani Highway are.

So major approvals necessary, you know, Ann mentioned there's the Environmental Assessment. And the Environmental Assessment Draft has been published. We're in the comment period now. Comment period started May 23rd, and it goes to June 23rd. When the Environmental Assessment is finished, we already submitted an application for the Special Management Area Use Permit. Planning Commission will hold a hearing on that after the Environmental Assessment is draft up. There's a Change in Zoning required, and Planning Commission will recommend recommendations for the Change in Zoning, but the Council will be approving the Change in Zoning. We're in the Special Flood Hazard Area, and we'll need a Flood Hazard Area Development Permit, and Darren will explain a little bit about what that means, and what we need to do to have the buildings comply with the flood hazard requirements.

So for now I'd like to turn it over to our architect, Jeff Benner, and he can go over some of the concepts that we're thinking about for the design.

Mr. Jeff Benner: Good morning. My name is Jeff Benner, I'm with Benner Stange Associates Architects, the architect today representing Walgreens. The first thing that we'll do is we'll talk about the site design. And this is the selected site plan that we prepared, and as selected by Walgreens, and it's just one of a number of iterations that we went through. And what we found is that this approach here was the most sensitive to the adjoining residential properties. By saying that, we have proposed a number of off-site improvements. Along South Kihei Road, we're actually adding one additional lane. This offers queuing and left turn movements from South Kihei Road into the site. But it also allows for the same queuing and their left hand movements over into the Long's side. What this does is it created a full access intersection right here, and that's the main access into the site. So we have an in, we have a left out and we have a right out. And what that's done is it really focuses and directs most of the traffic into the site from South Kihei Road. And secondarily, Nohokai, we have basically designed this in a similar fashion which we've increased a one lane, travel lane, on our side of the existing Nohokai Street. And what this does is it offers left turn movements going north bound, right turn movements going south bound. It does offer a left turn movement into the site off Nohokai. And we have proposed a right out only exit from the site, on to Nohokai, leading to South Kihei Road. What this does is it minimizes or eliminates those left turn movements from the site, into and onto Nohokai, headed makai.

The other thing that this offers too as well is with the primary entrance here at the site, it offers us the ability to locate the major entry into the store, to the south, away from the neighbors. And it also pulled our parking fields, once again, away from the adjoining neighbors. It also created the opportunity with the setback that we've created here. And it's a little tight. It's

60 feet from our new property line to this walkway. It allows for the truck movements to occur from Kihei Road, into the site, around the rear, and then back out the same way. What that does is it allows us to eliminate the larger truck deliveries that will occur on Nohokai Street.

We've got a good landscaping screen plan that we're proposing, and which I'll get to in just a few minutes. Because we were also sensitive to, you know, the existing site, rate conditions, storm run off, etcetera, we've created a system here where we have water quality planter areas along here. We're still allowing for the existing drainage that occurs to come through the site in a very similar fashion that it does today, and we're creating a retention pond over here in the southwest corner of the site. And the normal pattern of the drainage is essentially through the site and down in this direction here. I'll let Darren Unemori if need be speak more about the, the storm issues, in a little while here.

The other things that we've done here as well is, is to create some, something that's different than just standard sidewalks, curbs, paving, etcetera. We've actually proposed in conjunction with these retention areas which are nicely landscaped, put a meandering sidewalk that will occur along South Kihei Road as well as Nohokai Street. So it offers up a little different character, something that's more, a little more unusual than what we typically see. And along with that, we'll have landscaping features to go with that.

Our access into the site from the north is across Nohokai, diagonally to this point here, conversely south heading up to the store here. What you see here, you'll see there's kind of a series of . . . (inaudible) . . . here to mitigate the issue of the flood plain being at elevation six. We've raised the building to elevation seven. And so is not to obstruct the flow of storm water to the site, we've raised the building, left the site generally in its existing site grading condition and have an elevated walkway here, a ramping system here. So whether you come by car or you come by foot, you will use either one of the ramps, the stairs, or the stairs up here. Also to mitigate some of the traffic we have this connectivity right here from the site through McDonald's and, of course, that, you know, empties out onto South Kihei Road. Or conversely, you can come into the site, McDonald's site, and then up into the Walgreens site.

The proposed building design is a...is a --. We've done a number of Walgreens stores. A matter of fact, we did the one up here at Maui Lani that opened about a year ago. So this is a different approach. What we have at the southeast corner is the primary entrance. So it basically is kind of a dominant architectural feature. We have a sloping roof element, up at elevation 35 from the finish floor level. We have pilasters. This is either going to be plaster or synthetic plaster with, you know, reveals, you know, you placed in a, in a nice pattern. We have sloping metal awnings, store front entrance, and a color which is the corporate color which is now used by Walgreens nationwide.

As we move to the north, along South Kihei Road, you'll see there's an expansive glass here. Metal awnings covering the glass here. This is, you know, we'll call it textured blocks, so it's split face blocks, and of course, a fascia piece up in here. Trying to break up the longer dimension here, which is 150 feet. We've created another element here, and this is what you see when you drive into the site. So there's pilasters on each side. This, once again, and that is cement plaster or synthetic plaster. We have split face CMU block in here. We have bands

so as to break up this height of the CMU, so it gives it a different character. We'll have different colors in here. And of course, we're adding motifs which we've used elsewhere on the island as well. We get into areas such as this. Once again, the CMU walls, pilasters. These elements do project away from the building so it adds a third dimension. We have the motifs once again, varying in colors. And then we get to the corner of where you would come in from Nohokai and South Kihei Road, it's a little different element. Once again, pilasters, synthetic plaster, or this cement plaster, . . . (inaudible) . . . color changes, the metal awnings. So as you come into the site and up, you're actually underneath a metal awning at this point. We have the use of stone veneer, which we're placing at the base of each one of these projecting elements.

The south elevation which is other entry piece here. Very similar in character with the glass, the awnings, the stones -- this will be split face CMU -- pilasters, the stone veneer. So the character in terms of what we see at the main entry, looking to the northeast, northwest is very consistent as we turn the corner. Let's go back one slide. Okay, this is the building wall that faces the one residential lot, directly to the west. You'll see here that once again we have the materials, very similar, very similar to the split face CMU with the smooth block banding. The synthetic plaster or cement plaster pilasters for the stone base. Color changes. Pilasters here and here. Once again, color changes. And in this case, what you see is because we've elevated the floor of the Walgreens store, and it does vary from two to three feet above existing. We've created this ramping system up to the pharmacy, and of course, back down to the existing grade. Typically cars queue there -- I don't know, there's usually maybe two or three. Often times, there's just one vehicle there.

And then this is the elevation that faces to the north and Nohokai Street, and in any project there's going to be loading. And we felt that, that the concern of truck traffic was more so coming in from South Kihei Road, and eliminating it from Nohokai, this is where, you know, the loading area is. And when we get into the landscaping, I'll point out how that is, this area is screened. But again, we have this corner element here. Changing materials, colors, pilasters, the stone at the base, etcetera.

This is looking at the proposed building from the, looking to the northwest. It kinds of give you a feel for a character...you know, for the projections, the props, the color changes, the material changes, you know, the scale of the entry element which is...which is important for the main entry of the store. This is looking at from Nohokai, to the southwest. This is from the, say the McDonald's parking lot, looking to the north. And then this is from Nohokai, looking to the southeast.

So...we put a lot of thought into how the landscaping design might work on the site, and there's a lot of different characters that have been created. Along South Kihei Road we have...palm trees. We have different grasses. We have ground covers, flowering shrubs. We're proposing screen like shrubs in certain specific areas, more closely related to some of the parking. Landscape features which offer, you know, colorful flowers. Once again, ground cover, shrubs, etcetera. We have palms out here, at the intersection, on Nohokai and South Kihei Road. This will be our entry feature into the site. We've got hedge like materials proposed in here which helps create a, a visual break in terms of what is seen from Nohokai to the store itself. And that will occur along here. We have some large shade trees here which offers a different character,

but also adds screening as well as they begin to mature. And of course, we continue to . . . (inaudible) . . . the palm trees here. In both street conditions, you can see how this proposed meandering sidewalk works, and it offers, you know, just a, kind of a different character to the street scape itself. This concrete here will be permeable, as we do have these storm water retention areas which are nicely landscaped, occurring along both streets. Along the west and down here in the southwest, MacArthur Palms is, is proposed, and we know what MacArthur Palms are and how they begin to create a visual screen rather quickly. We do have a proposed vinyl coded cyclone fence along here for security. And that also offers some screening in conjunction with the MacArthur Palms. The storm retention or retention area itself is, is probably going to be grasses of some nature. And then, of course, down here, along McDonald's probably be a little less sensitive because we've had very similar uses, both commercial, but you know, landscaping measures that are consistent with what we propose around the site itself.

I might add if you could just flip just a couple of...go forward to...keep going to the first section. So I'll just kind of complete here, and then let Darren speak. But this is the concept here along, you know, both Nohokai and South Kihei Road in terms how we propose to do the storm retention within the planting areas. Of course, along our parking hillside we will have additional hedges, shrubs, flowering materials as well. So you'll begin to see how we've created this storm retention along with the permeable concrete here. So having said that I'll...turn it over to Darren Unemori.

Mr. Darren Unemori: Good morning members of the Board. My name is Darren Unemori. I'm with Warren Unemori Engineering, and I'm the civil engineer on this project. Jeff Benner had done a pretty good job about explaining the concepts on the street frontages, and the...and the interior of the site itself. So, I think one thing I'd like to just add and build on that is to discuss the drainage concepts behind the some of these features just to clarify what's going on, and what the challenges are on the site.

So, Jeff had already mentioned that we're in a flood plain, and this is quite a big flood plain. It's a fairly...extensive flood zone that spans the one mile stretch between the gulch of Waipulani all the way to Keokea. . . (inaudible) . . . The flood area, as you can see here, all the blue area is actually in the flood zone, so it's quite an extensive flood zone at elevation six. On top of that we have the normal requirements to deal with the drainage impacts that come with development, you know, the extra hardscape that we add. So essentially we're dealing with two problems with regards to drainage. One is, of course, negating the impact of development, and the second is dealing with flooding, so I'll take those in turn.

So as Jeff explained the drainage pattern on the existing site is -- and this is on South Kihei Road running left to right, and Nohokai Street running up and down here. The existing pattern is a low spot in South Kihei Road which drains not only portions of Nohokai Street, but South Kihei Road into the corner of the site here. So there's a little shallow area here, but the basic pattern of, of flow, to the site, from offsite sources is, as Jeff has described, kind of on this diagonal. This is the area behind McDonald's.

So in terms of mitigating our runoff, impact to runoff, there's two things we do. Of course, one,

is we build a parking lot and the building onsite. And we also . . . (inaudible) . . . pavement offsite to create the turn lanes, and sidewalks and such that Jeff had described. For the offsite, to mitigate the offsite runoff that we create, we're creating these storm water planters along side here, and we drain water from the pavement of the roadway into these, and we hold them there and basically let them percolate into the ground. That's how we anticipate the added impact to the additional pavement of the road. In the interior of the site, we dig a big hole over here, down at the retention basin, and that off sets the additional hardscape from the roof of the building and such. So that basin right there is large enough to remain, to contain all the additional water that would be generated from the development of the site.

Now when it comes to flooding there's...three things that we really, that really shape the site. One is, of course, the flood elevation at six. The ground elevation, by the way, is, right now, it falls between elevation four and elevation five-and-a-half to six. So the flooding is maybe about a foot. The 100 year flooding is maybe about one or two feet deep. So the first thing of course, as Jeff mentioned that the building has to be elevated to elevation seven. The second thing we have to do is make sure that anything that we do on the site does not impede the natural flow of water that is there now because that's how the area drains. So to main, to maintain that we keep the site low, basically at where the existing grade is now. And we still allow water to come in from South Kihei Road at the low point here, pass through the site around the building into the storm water pond, and on really large flows, of course, continuing makai as the current pattern does. So that's...in a sense that's, that's what...because of the need to maintain the current drainage pattern, we have to keep the parking lot low, and we have to keep the building high, just to keep it out of the flood zone.

Now one of the things we also have to do to qualify for our special flood hazard area permit is off set the volume that this building displaces under the, under the six foot flood elevation. So the hole here, the storm water retention pond here, basically is a 20,000 cubic foot capacity hole in the ground that offsets the volume that the building and its surrounding footprint will displace. So that is sort of the back story behind some of the features that were pointed out on site, and basically how the...drainage features primarily had shaped the development of the site concept.

Mr. Schnell: Thank you very much for having us here, and listening to our presentation. I don't how you want to proceed with public testimony or questions from us, now. It's up to you.

Mr. Conrad: So we'll proceed to public testimony. So thank you. Well first person on the list is Jeremy Peterson. And again I'd like to reiterate that this is a design review process, and so I understand you're here to speak about the Walgreens. But again, this is mainly about design. We're obviously willing to hear everything you guys have to say, but I just wanted to reiterate that.

Mr. Jeremy Peterson: Yeah. Absolutely. Well thank you, and that was a great...demonstration. My name's Jeremy Peterson. I live on Uluniu Road with my wife and son. My family has owned that property there for four decades and, you know, seen everything kind of developed from where it was where the current Ace Hardware -- it use to be Azeka's. That was the only grocery store. Great. Everything's kind of grown. With each phase of growth we've filled in all these surrounding wetlands. So I'm here representing all and with the surrounding neighbors that

don't think the Walgreens is a good idea for our neighborhood.

So I'm going to touch on facts. Due to the flooding, is primarily my concern. As I've said, I live kind of in the middle of Uluniu Road. The flooding in that area every time it rains, these guys brought up points that they're proposing to fill one to two feet in that current area. That current area retains 12 inches of water every time it rains. That water sits there for a week with no where to go. So their catchments that they showed you that's going to meander back behind Nohokai that's going to affect and flood all of the other neighbors in that area. Their retention area is not capable of retaining all that water. And I have some photos to show you guys. You can pass this around. This is the last rain storm that we had. That's Uluniu Road and Nohokai under four feet of water when it rained. That's my house with the carport. So basically inside of my house the flood plain elevation of my first floor is 4.86 feet. Their elevation of where they're building is four feet. So when they bring in two feet of fill, where's all that water gonna go? To Uluniu Road and Nohokai. So their premise of the 100 year flood as only one feet of water is totally false.

Ms. Fiona van Ammers: Excuse me?

Mr. Peterson: Yeah?

Ms. van Ammers: Do you know what date of that storm was?

Mr. Peterson: That date?

Ms. van Ammers: Yes.

Mr. Peterson: That was the...yeah, that's 2007. So I've worked with Maui County to mitigate flooding in our area -- David Goode, Don Couch -- to come up with ways. There's basically one drain that's in Uluniu Road, that is a 20 inch diameter pipe. That's put in level. So all that water from South Kihei Road, all these fancy drawings they're showing you will not solve or mitigate any water at all. It's just gonna flood all the neighbors. That's kind of the biggest issue. So I'll let the other neighbors talk, but I just wanted to touch bases.

Mr. Conrad: We appreciate your photographs. Thank you. Okay, Kathy.

Ms. Kathy Bento: Good morning, I'm Kathy Bento. I live 53 Nohokai Street. My husband and I and our family have been there for almost 36 years come August. We've gone through one, two, three, four...about four floods, and each time our lot got deeper, and deeper, and deeper with all the development around us...to the point my husband spent a year putting up a wall so that would could manage our own water that we would get in our yard before we get all the runoff down our driveway. Our side of the street is very low. We're on the McDonald's side of the street, on Nohokai Street. Across the street, the lots are higher. The person who has the property behind us backfilled three feet higher than us while we were still living there. I begged the County to help us. They said it was a civil matter. We've now got a retaining wall there. My poor neighbor on the mauka side of me had to tear down his cottage that he had there forever because he had four feet of water. There was an article in the paper. Also he built, his

place, it's five feet high. That's how high he had to build. Jeremy had to raise his house...the whole house he raised, a two story house, to keep from flooding. Our house got water in our livingroom three times. Just this last rain that we had that really didn't do much of anything because of our walls protected us.

But the traffic we have already on Kihei Road. We're only one block long. We have traffic constantly. They use our road for detours every time they work on Kihei Road, and we have three traffic lights right in a row, down Kihei Road, right past Nohokai Street. That traffic will back up past our street. People tend to use our street to get where they're going. We also have Times Supermarket has their deliveries coming down our road. I tried to get, you know, where the weight of the trucks, you know, a certain weight of the trucks not to be able to come down our road. They -- I would have had to sit out on my wall for a month and count how many trucks that were over a certain weight that came down. Now we pay our taxes. We love where we live, and it's grown so badly that -- I mean, the weed eaters, the lawn blowers at five o'clock in the morning and I call and complain, and they tell me, well, we moved into that area. No, we were there.

Mr. Conrad: Thank you very much.

Ms. Bento: They moved into our area. Thank you.

Mr. Conrad: Thank you. Alright, next up is Linda Berry.

Ms. Linda Berry: Hi. I'm Linda Berry. I'm an architect. I live in Kihei, although not in this neighborhood, and I'm a former member of the Urban Design Review Board as many of you know. I was also the architect for the Walgreens that's in Kahului, on Puunene Avenue, so I want you to know that I'm not against Walgreens in the right location. And I think there's some wonderful locations in Kihei that would be great for this Walgreens, but this is not it because of the neighborhood that it's adjacent to.

The business designation in zoning is complex. Because it covers everything from a small business like a bike shop that's the size of a residence, to a gas station, to something that's 10 times the size of a residence like this proposed Walgreens. So I think that when the business designation is given, it should be given to something that's an intermediate, in between a resident size and the largest size possible. You don't want to jump from small to the large. That's good urban planning.

I brought a picture, pictures to show you that show something that Walgreens did not present, and these are some of the design features that I think may not be obvious from their presentation. On the top there's a picture -- these are both taken at the Walgreens at Maui Lani about six o'clock on a Saturday night. In the top picture you can see some light stanchions on the border of the property. Now if my neighbor were to install a light like this on the border of their property, I'd be calling the County to get something done about that. But lights like this will be required for Walgreens, and that's going to be right next door to these residences.

Also notice the fence in that photograph, and you notice the tractor, semi trailer truck next to

that. The fence does not come nearly high enough to visually mask that truck. And if this were a small business, like a bike shop or place selling bikinis and board shorts, their deliveries will be coming in UPS trucks. But Walgreens needs a semi trailer and that's going to be coming into this residential neighborhood dropping off goods. Now the bottom picture is a picture that I took Saturday night at six o'clock, and that truck had parked outside of the Walgreens. So I want you to imagine these neighbors in their yard barbequing and this truck pulls in and is idling for at least a half hour that I was there while they're trying to barbeque. So not only do you have the truck and the store cutting off the view of Haleakala that these people have now, but you have the noise pollution and the smell of the diesel fumes in their neighborhood.

So I urge you to do the right thing, and please vote against having this store in this location. Thank you.

Mr. Conrad: Thank you very much. Now we'll have Scott.

Mr. Scott Hergott: Hi, I'm Scott Hergott. I live at 24 Nohokai which is directly across the street from their one exit on Nohokai. So I'm not familiar with the flooding. I've only lived there for a year and a half, but I am familiar with what the architect just brought up is the fact that will be dumping right into my driveway. And the 24-hour pharmacy drive up window, the cars in and out of there all night long. You know Long's Drugs is across the street, and all the drug addicts in Kihei go there to get their drugs, and they walk down the street, down Nohokai, down to the beach. That's where they get all their alcohol. We really don't need another place for them to get alcohol and prescription drugs, and go down the beach, you know. And like I said, it's right in front of my house, so I don't really, you know, appreciate the fact that they're building this store right there. So, you mean, I don't -- it doesn't need to be there. We already have Long's Drugs. Put it up there by Safeway, where Hilo Hatties is at. That's a perfect spot for it. You know, they don't need to come in and destroy a residential neighborhood. Thank you.

Mr. Conrad: Thank you. Mike Moran?

Mr. Mike Moran: Aloha Chair and Members. Thank you for your service to the community. My name is Mike Moran. I'm president of the Kihei Community Association, and I'm just going to read you a letter that we sent to the -- actually the three gentlemen that are here today, as well as a copy to the department of . . . (inaudible) . . . here to my right. So we definitely knew who was going to be here this morning. And this is a letter that say December 10th, 2014. I don't know if I'll get through it. I'll try to read quickly.

Dear Tom, Jeff and Darren. Thank you for coming to speak with the KCA Design Review Committee regarding your plans for a proposed Walgreen store in Kihei. We have probably spent more time reviewing this project than any other in recent past. We feel you are sincere and that you want to design something that will integrate well and be a positive addition to the community. We struggle with supporting a big box type commercial complex with all that it entails in this location. The site is at the gateway to an older established and quiet residential neighborhood. There are existing single-family residents next door to the west, and across the street to the north. There is a consensus among neighbors that the following issues presents problems.

One, continual 24-hour operation, disturbing residences through the night. Two, drive-thru operation with idling lines of cars as seen at the Maui Lani Walgreens. Noise and fumes from semi, semi-trailer delivery trucks as observed at the Kahului and Maui Lani Walgreens. Four, large amounts of trash and recyclable materials stored onsite. Height and mass of the building are too large in scale for a transitional neighborhood. Six, traffic increase on neighborhood streets with the proposed exit and additional lanes on Nohokai as shown on the plan. Seven, increase flooding in a flood prone area with additional hardscape compared to the equivalent residential development.

There are other properties in Kihei that fall into a similar mixed residential/business zone. In prior cases we have allowed small scale businesses to develop and operate in these transitional zones. These include the Kihei Veterinary Clinic, 1476 South Kihei Road; Ki Hana Nursery, 1746 South Kihei Road; and Shaka Pizza at 1770 South Kihei Road. These businesses have residential scale buildings and operate with light traffic during day time business only. They are good neighbors to the adjacent residences.

A project that was previously rejected because the negative impacts to local residents was the proposed relocation of the Kihei Ace Hardware onto South Kihei Road. Because of concerns of increased traffic and residential disturbance, Ace remained in Azeka Mall.

Fortunately I handed out to you because I'm out of time, but you can, you know, you'd be able to look at the rest. The last paragraph is in there. Thank you for the opportunity this morning. Aloha.

Mr. Conrad: Thank you sir. Alright, let's see here. The next is...Rachel Domingo.

Ms. Rachel Domingo: Good morning. Thank you for your time and for the opportunity to speak. I just found out about this meeting yesterday. Thanks to some neighbors. I don't know what the process is, but that brings to mind that I've got to learn what the process is so I don't find out about important stuff like this at the last minute. Some of my neighbors and the other speakers have some excellent points. Talk about a 100 year flood, I've lived there for 14 years and twice in that period of time been at least knee deep in water. So I'm not sure if that plan is going to be enough.

The speaker who just spoke talking about the Kihei Veterinarian. That's an excellent idea. I use to live in Maui Gardens which is right next door to that so I know about living next door to these buildings on South Kihei Road. They -- how their building is built does not impact the flooding. They're up, they're up on stilts, their lands didn't get changed -- not Walgreens. So anyway, thank you. I know this is a design meeting but since I've got an opportunity for the rest of the comments, here they come.

I live at 34 Nohokai Street in Kihei, near the proposed site. I strongly oppose the Change in Zoning because it will be very detrimental to our neighborhood in a number of ways. In particular I also oppose the idea of Walgreens, so --. This is a residential neighborhood, not commercial. The proposed site will put a large commercial building right next to people's homes. If we wanted to live next to businesses we would have purchased homes next to

businesses. Instead we purchased homes in residential neighborhoods. Rezoning this land for commercial use will lower surrounding residence standards of living by subjecting us to increased traffic noise and lights. Our street is currently quiet. It's a residential street. Commercial businesses in this specific area are a draw to Maui's homeless population as they provide shade, outdoor storage and another location to pass the time. The large amount of trash and recyclables that commercial businesses store are a draw also. Converting this land to community business will require road widening on Nohokai Street. Us residents of Nohokai Street don't want that. It's a residential street. We oppose again just the noise and the change and our lifestyle there.

Walgreens's specific objections. Walgreens opens from 7 a.m. to midnight, seven days a week -- oh my gosh -- hearing trucks back up, traffic, noise, fumes, the lights, just everything everybody has already mentioned. No one wants to listen to car doors, conversations, delivery and garbage trucks with . . . (inaudible) . . . ever. Walgreens is not generally appreciated by the residents of this island, and is subjected to frequent instances of picketing. Imagine if you had to encounter that when you're entering your neighborhood, your street to come home and you've got to deal with other people's displeasure about Walgreens, not to mention your own. Walgreens is also proposing a drive-thru. This will create even more traffic and noise. And Walgreens locations across the nation are currently closing. Vacancies and large commercial buildings on Maui are increasing. One more sentence. Before Walgreens builds a monstrosity right across the street from Long's, perhaps they should see if they can make it an existing location such as Kukui Mall or the old Hilo Hattie location near the Kihei Safeway. Thank you.

Mr. Conrad: Thank you. Gary Redfern?

Mr. Gary Redfern: Good morning Chair and council members. I'm at 59 --

Mr. Conrad: Say your name please.

Mr. Redfern: Im sorry. Gary Redfern.

Mr. Conrad: Thank you.

Mr. Redfern: 59 Nohokai Street. We brought the property there two years ago and we just completed building our house. We bought there because it's a beautiful neighborhood. It's an old established neighborhood and somewhere that we feel comfortable. The issues that I have basically is the zoning change. It makes no sense. Two things of different concerns is going to be certainly the traffic flow that could happen. If you put a traffic light there we're going to have significant traffic coming into our neighborhood and putting our children and everybody at risk in that regard. So it's really flood issues, certainly it's a concern there. We had to deal with it and we got through all of that. It was going to be zoning, it should not be changed. Noise. So it's all be covered by the other neighbors as well. I just wanted to be, put a word forward. Thank you very much.

Mr. Conrad: Thank you sir. And James.

Mr. James Boulton: Good morning folks. I've lived on --

Mr. Conrad: State your name please sir.

Mr. Boulton: I've lived on Nohokai Street. Oh, James Boulton.

Mr. Conrad: Thank you.

Mr. Boulton: I'm a, I'm a local contractor. I've lived on Nohokai Street, oh, I think I bought the lot in 1972. Something that most of you probably don't know about Nohokai Street and all those lots, they were all exactly the same, 60 feet wide, 212 feet long. That was the old Watanabe Subdivision. Some place back in the archives and I've seen it, there's covenants on all that property. You can't have goats, you can't have pigs, you can't have sheep or cows. You can have three dogs. That seems to do as a covenant there that nobody paid any attention to. You also couldn't have any metal roofs. I built a little shack back in the back. Of course, most of it was totally illegal. I had to eventually tear it all down, and I've just finished building a new guest house.

Now what I'm concerned about is the vagrance going up and down that street. You can stand in my garage, look out there, and within 30 minutes you'll see them going back and forth. And they go out, they go down to Times Market and they're all dumpster divers. They're going to have a field day at Walgreens. The...the people -- in my driveway I have, a friend of mine parked his car, vagrance came in during the night and stole the radio out of his car. This goes on and on. It's going to multiply. This beautiful, beautiful picture that we saw here is just a joke on what's going to happen to us on that street. Traffic, no matter what they say, traffic comes down Uluniu Street going out Nohokai Street, I don't care what the little arrow say, don't go this way, don't -- they're going in and they're going to go out. They're not going to pay attention to those. Is Walgreens going to do anything good for our community? No. Drive down Puunene Avenue, every so often you'll see the pickets, the local boys. They never got a shot at it. They brought their own crews in to take care of business. They just, they have a sign out there. You probably all seen it. They're still picketing it. So we're going to have pickets out there now because they'll do the same thing. They're not going to use the local trade. So what good is Walgreens going to do our community especially at the end my street that I have lived there for 45 years.

Mr. Conrad: Thank you sir. Appreciate your help.

Mr. Boulton: Okay.

Mr. Conrad: Okay, now we move on to questions for the applicant. Oh, sorry, is there any further testimony? Those were the only people on the list, so I assumed it was over. No further testimony. It's now closed. Excuse me, yes, state your name please sir.

Mr. Ron Panzo: Yeah, I'm Ron Panzo, and my wife and I live at 67 Nohokai. And I just came here to kind of support on the stance on the residence, and a lot of good concerns and points have been made about the flooding about the noise and the lights. But, you know, we have a

really nice quiet neighborhood, and it's real safe for the keiki there. You see a lot of moms and dads walking up and down the street, skateboard, bikes, we don't want to lose that. You know I can see the traffic increasing and putting, you know, family lives at stake there, so it's just my main concern. I feel a little emotional right now. I think there's a lot of stake, so I appreciate your consideration on what everybody has to present today. Thank you.

Mr. Conrad: Thank you sir. If there are no objections from the Board I'm going to close public testimony on this item. Thank you.

Ms. Cua: Very quickly Chair, we did not pass out the material board which is a requirement. Basically just shows the lighting standards, the stone veneer face that was talked to by the architect, and the color scheme, so I'll pass this out now.

Mr. Conrad: So I think if there are any questions from the Board we can begin while we're looking at this panel. So we will start -- sorry I'm new at this you guys -- we will start with people making, asking questions and then we'll save comments for another round. So Fiona if you would do us the honor of starting I'd appreciate it.

Ms. van Ammers: Okay, this is a design review and I did confirm with the checklist that I can ask questions about traffic so I'm -- I agree with the residents that traffic is going to be a concern here. I don't think it was spoken too that much in during your presentation but perhaps you could let us know or confirm what is the design vehicle for this project. The intersection at Nohokai, is that going to be stop controlled or signalized intersection?

Mr. Schnell: It's stop controlled on Nohokai Street, and it will remain that way, but not a signal.

Ms. van Ammers: Okay. And the design vehicle is, what size vehicle?

Mr. Schnell: Trucks are proposed to come in this way and continue around here, so they won't be coming in on Nohokai Street.

Ms. van Ammers: What kind of vehicle will it be? A semi-trailer or single truck?

Mr. Benner: . . . (inaudible) . . .

Ms. van Ammers: Okay, and the size coming off the residential road? The size of the vehicle coming off the residential road, Nohokai, will be what?

Mr. Schnell: Trucks, trucks will not exist off of Nohokai, so this will just be normal vehicle traffic.

Ms. van Ammers: Why is there no left turn onto Nohokai?

Mr. Schnell: Left turn onto Nohokai, from South Kihei Road?

Ms. van Ammers: No, from the project.

Mr. Schnell: Yeah, there's no -- we propose a right out only here, and there's an island here to direct people into a right out only way to discourage people from going makai on Nohokai.

Ms. van Ammers: Well, what if you're a resident in that neighborhood and you wanted to go home?

Mr. Schnell: You know, this is what the Kihei Community Association and what you've heard from several of the residents here is that they, they would prefer not to have traffic going this way. I could understand their concern if you would like to go that way. I do, but, there is -- one other thing, we did meet with Kihei Community Association twice.

(Member from the public made comments, but did not speak into a microphone.)

Mr. Conrad: Pardon me sir. Pardon me sir you've already made your testimony.

Mr. Schnell: So one of the, one of the, you know, we did meet with Kihei Community Association twice, and we did try to address some of their concerns. And one concern that we could address was this right out only.

Ms. van Ammers: Okay. Alright. And do you guys know what the impact of this project is going to be for the level of service of these intersections? What can the residents anticipate as far as the delays?

Mr. Schnell: Right. I'm not the traffic engineer and we'll have the traffic engineer here next week when we talk to the Planning Commission. So my understanding is with, I guess, one of the major mitigation measures here, Nohokai is currently a one lane out, okay. So if somebody was making a left turn and they're back up and they can't get out into South Kihei Road, they're holding up the guy that wants to turn right. So with a left turn lane here and a right turn lane at least that will allow somebody to right this way.

Ms. van Ammers: Okay. Then, I guess, the next question is regarding drainage. Obviously that's a huge concern of the residents. I'm not sure if the civil engineer can speak to what the proposed retention will be in the development condition versus the existing condition. Maybe you can let us know if you're meeting or exceeding.

Mr. Unemori: Okay, so the, for the, for the --

Mr. Conrad: Please state your name again sir.

Mr. Unemori: I'm sorry. I'm Darren Unemori, civil engineer. So for the onsite area where the parking lot and the building are, the post development runoff in terms of volume is 6,500 cubic feet. The basin that we're going to create is going to be 20,000 cubic feet. Actually the size of the basin is determined by the offset we need to, to compensate the displacement of the building. So the basin is actually oversized for its, for its impact. And when I talk about impact I'm talking about the, the regulatory requirements for the, for drainage, required by the County of Maui.

Ms. van Ammers: So do you think your design is an improvement from the actual, existing condition?

Mr. Unemori: You know, I, I, I understand very much the concern about drainage in the testimony and because of the pre-existing flood conditions, so let me, let me make this very clear. I think...what we're proposing to do as part of drainage will not make the situation worse. But because the flood problem is so extensive, it doesn't significantly change -- we aren't able to significantly improve it. The, the water that is flooding this coastal area comes from something like a 1,000 acres up above...above the coast. We are not -- it isn't possible for our two acre site to solve the problem unfortunately. So, you know, I just want everyone to understand in proper perspective that all we're able to claim is that we don't make the situation worse. The flood situation will continue to exist after Walgreens develops that site. We will comply with all regulations necessary to develop in the flood plain. But again it's a two acre site, solving a much, much, much larger problem. And also we won't be able to eliminate the flood problem for the neighborhood.

Mr. Conrad: Thank you.

Mr. Benner: Jeff Benner again. So I heard somebody mention that, I just want to clarify, that we're raising the site two feet. So my point early on was that a lot of the drainage patterns that exists today will in fact will be the same after the project is developed. The only element that's being raised is the building structure itself. So I just kind of wanted to clarify the site is not being raised. Only the area within the building area itself. So that, when speaking, when Darren is speaking and he's talking about volume in the retention area, that's kind of the difference right there. It's not the whole site that's being raised.

Mr. Conrad: Thank you sir.

Ms. van Ammers: And my last question is about the lighting. I don't think you guys gave us what the fixtures would be or what the lighting would be around the perimeter. Do you have any kind of exhibit for that?

Mr. Schnell: There is an example of the material board that's going around, but --. So we're proposing energy efficient fixtures. They could be situated pointing down. They could be shielded. We'll comply with requirements regarding lighting.

Ms. van Ammers: Do you have perimeter lighting proposed?

Mr. Benner: Jeff Benner again. We do have lights that are proposed. They will not have the illumination that Linda Berry had shown you earlier. There's a difference in the two projects. The Maui Lani Shopping Center project is a less sensitive project because it is adjacent to a large water tank, County of Maui water tank. And then further down is continued commercial in that Maui Lani subdivision. We will be sensitive to the lighting. You know, the foot candle levels, the distribution, such that that lighting level will not leave the site. So, unfortunately we do not have an example of those rear lights there. But it will be sensitive. Two different projects.

Ms. van Ammers: So, but you will have perimeter fencing?

Mr. Benner: Correct.

Ms. van Ammers: And vinyl fencing I think you said.

Mr. Benner: Yeah. And that's, that's largely for security purposes. We're, we're kind of relying more so on the MacArthur Palms to create that vegetation, that higher level of screening that density that we see and that will occur adjacent to all those residential properties.

Ms. van Ammers: Creating some what of a buffer between the residences.

Mr. Benner: Yup. Yeah.

Ms. van Ammers: Okay. Those are my only questions.

Mr. Conrad: Thanks Fiona. Dave? David?

Mr. David Sereda: Thank you. My first question is so the 24-hour drive-thru, is that normal for Walgreens or is that something that's sometimes done and sometimes not done?

Mr. Schnell: Let me clarify the hours of operation. It's not 24-hours. The store would be open from 7 a.m. till midnight, seven days a week. The pharmacy would be open from 9:00 a.m. to 10:00 p.m., during the week, and from 9:00 a.m. to 6:00 p.m. during the weekends. And the drive-thru would correspond to the pharmacy hours. The drive-thru is only for the pharmacy.

Mr. Sereda: I see. So it's not a 24-hour drive-thru.

Mr. Schnell: It is not.

Mr. Sereda: Are there any issues with homeless right now on those spots? Is there anybody living there, making their habitation on any of those lots right now?

Mr. Schnell: I'm not aware of it. I'm sure the people that live in the neighborhood would know better than I.

Mr. Sereda: Okay. I was just wondering. The trash and the recycling, are those typically secured? Like, it seems like if you have problems with, with so-called dumpster diving, wouldn't you just lock those?

Mr. Schnell: I think we could secure those areas. They are secured? Okay.

Mr. Sereda: Some of my questions actually were the same that were asked previously, especially regarding the lighting. I think that, the lighting, would need to be addressed adjacent to the residential areas. I have a question for Darren, the civil engineer. Typically when you, per regulations, what is the design year for your storm water management? Is it 100-year

flood?

Mr. Unemori: For the, for the impact?

Mr. Sereda: Yes.

Mr. Unemori: It's 50 year.

Mr. Sereda: 50 year. Thank you. And the color for the building, the blue color -- I think on the material's board it's the Rendevous Benjamin Moore No. 1726 -- is that a typical corporate color that Walgreens uses?

Mr. Benner: No. It's the color immediately below that.

Mr. Sereda: Oh, so maybe --

Mr. Benner: So all the other colors we select.

Mr. Sereda: Okay. So the, on the north side of the building, there's the kind of the one panel on the corner, I think, which is kind of bright blue.

Mr. Benner: Yeah.

Mr. Sereda: That one there.

Mr. Benner: Yeah.

Mr. Sereda: That's a corporate color?

Mr. Benner: That's the corporate color. Yes.

Mr. Sereda: Okay. Those are all my questions. Thank you.

Mr. Conrad: Thanks David. Peter, do you have any questions?

Mr. Peter Jacobsen: Yeah. Hi. Given that you've paved these sites. Walgreens owns these sites, all these four parcels?

Mr. Schnell: Walgreens does not own them now. They're under contract to purchase them contingent on --

Mr. Jacobsen: So it's a feasibility study?

Mr. Schnell: No, it's a --. Well, the book that you have is a booklet that I put together showing design features. But we've also prepared a draft environmental impact statement that's out for public review now.

Mr. Jacobsen: So given the fact that you've paved majority of this, how can you increase the retention basin for the percolation? What do you propose?

Mr. Schnell: Darren might be able to address it better than I can, but let me just kind of restate what's been stated on some comments. The parking lot will not be raised up. It will be paved. But it will be pretty much the existing grade and elevation. So the building will be raised up seven feet. So the foundation will be, that will be the area that displaces water that currently flows through the site. The retention basin is sized to handle the water that would flow through the site and would be displaced from the building footprint.

Mr. Jacobsen: But the majority now is hard surface.

Mr. Schnell: The majority now --

Mr. Jacobsen: You have is a small section left to take care of the runoff.

Mr. Schnell: And so the majority, right now, is gravel. Most of it is gravel or just unpaved right now. It would be paved parking lot. The retention basin wouldn't be paved. But the retention basin is sized such that it could handle the capacity of the runoff.

Mr. Jacobsen: So you're allowed to build where the houses, next to it, you're allowed, what, a six foot fence? Is that what you're proposing?

Mr. Schnell: Well, the requirement, I believe, is five foot fence, and it's a two foot landscaped buffer. That's the requirement in the code. We're proposing a seven to nine foot buffer, landscaped with, with dense palms, and also the fence. And the fence could be from five to six feet or --

Mr. Jacobsen: So sort of material that's going to be?

Mr. Schnell: We're proposing vinyl, but we're, you know, we're open to other suggestions too.

Mr. Jacobsen: What, what flood elevation, what's the base flood elevation?

Mr. Schnell: Six feet. The base flood -- so buildings have to be built up six feet above.

Mr. Jacobsen: But what's the existing based flood elevation for that site?

Mr. Schnell: Six.

Mr. Jacobsen: 10?

Mr. Schnell: Six. Six feet.

Mr. Jacobsen: Have you done any soils analysis on that?

Mr. Schnell: As far as soil stabilities or soil --

Mr. Jacobsen: Percolation?

Mr. Schnell: No, we have not. No, not at this point. We did? We have.

Mr. Conrad: I know it's redundant Darren, but if you could state your name again?

Mr. Unemori: Certainly. Certainly. Darren Unemori, I'm the civil engineer for the project. I just wanted to go through my notes here. There was a soil report done, a soil investigation done for the project site. Percolation tests were taken. The soil itself is a, is a . . . (inaudible) . . . sand. It's kind of like a dirty sand. And soil testing found the percolation rates falling between four and seven inches per hour.

Mr. Jacobsen: So I read something about, in the 90's, they put a bunch of fill in there.

Mr. Unemori: I'm not aware of that.

Mr. Jacobsen: Previously, and then they mitigated it somehow with the wetlands.

Mr. Schnell: I believe in the early 90's that the owner at that time filled in much of the property and raised, raised it up, and there was a Corp of Engineers violation that they received. And the Corp's mitigation for that was to preserve a wetland that's offsite. And the owner at that time did that mitigation and dedicated that for wetland preservation. So that's the existing condition on the site now it had previously been built.

Mr. Peterson: . . . (inaudible. Did not speak into a microphone.) . . .

Mr. Conrad: Can you hold it for one second, sir? I need to find out legally whether you're allowed to do that or not. I'm sorry, sir, because of the way the rules are written, it's not my purview. But we have to close the public testimony.

Mr. Peterson: . . . (inaudible. Did not speak into a microphone.) . . .

Mr. Conrad: Yes. Okay. Thank you.

Mr. Schnell: That's accurate. Yeah, that's right.

Mr. Peterson: . . . (inaudible. Did not speak into a microphone.) . . .

Mr. Conrad: We're aware of that, sir. Thank you. Any more questions Peter?

Ms. Frances Feeter: Okay, I would like to clarify for myself as well as everybody else, if I'm right Clayton, we actually have no jurisdiction over zoning change, do we?

Mr. Clayton Yoshida: That's for the Planning Commission and the Council. You're dealing with

the design aspect.

Ms. Feeter: Okay. That's, that's what I thought. So as much as we might sympathize with your request for zoning change, we can't say anything about that. But I do have two major concerns, and a couple have been addressed. And one is the flooding. I cannot understand how you can say the flooding won't be worse when you pave, that they, the whole lot has been paved and covered with the building. Personally I live on Molokai. We have been flooded ourselves four times with 100-year floods in the last 10 years, so I can appreciate what you all are coming from. It's not fun, and I don't see how this small retention area can mitigate paving all that lot. I'm not a hydrologist, so I can't say from an expert. But, let me just go on one more. Then my other concern is looking at the west elevation. If I were the neighbor west side of that I would be most upset. Looking, just looking at that facade and I don't see how MacArthur Palms are going to really obscure that for me. It's not just the blank wall, but the colors really jump out at you if you're out in the yard. So those are my two major concerns.

Mr. Conrad: Thank you. Do you have any questions Robert?

Mr. Robert Bowlus: I do. Yes.

Mr. Conrad: Excuse me. Did you want to respond?

Mr. Schnell: Did you want a response to --

Mr. Conrad: You didn't actually have a question, so I don't know that it requires a response. I don't know how to deal with that.

Ms. Feeter: I don't need a response. Thank you.

Mr. Conrad: Thanks. Alright, Robert?

Mr. Bowlus: Well, I do have a couple of questions and they are the design related questions, I guess, were really raised by the audience and it's pretty amazing to have such a unanimous... opposition and so many people speaking. And some of, some of the design issues, I think, were pretty substantial, and I agree with Frances, a great deal, about all of the paving. And I know we've, there are studies done, and you have a retention basin to contain most of that water. But wouldn't the natural percolation aid in addition to that because the flooding photographs that were presented are, are horrendous really. And could you consider using a permeable paving for the parking lot to help mitigate the runoff? Because it looks like a lot. It's basically hard surface roof, hard surface paving, except for your little ditch in the back.

Mr. Schnell: We, we can consider the permeable pavement. Maybe Darren can address the flooding.

Mr. Unemori: I'm Darren Unemori, the project civil engineer. So to address your question and I fully understand the perception. I think, in order to look at the impact of the development, you kind of have to set it aside from the flooding problem. And the reason I say this is because I

understand perfectly what you're talking about as far as pavement runoff and such. If we were in, in an isolated site without a flooding problem, the basin itself would actually be big enough to take care of the water coming off the pavement and the roof. But because of the flooding problem, what happens is water from other places continually comes in to this, this coastal plain. So whatever we do onsite, the water from the outside still comes into the site. So once the site is under water there's no real opportunity to percolate it away so fast that we can, you know, eliminate the water from the site. So the flooding condition sort of shuts the door at the point where can control runoff from the site. I don't know if I'm making myself clear.

Mr. Bowlus: Oh, very clear. As a tradeoff to a zone change from residential lots to commercial lot, and paving the whole thing, it just seems that there is water that's coming to the site, and to, to make very little effort, just say it comes in so it's going to run on through to the neighbors homes, as a condition of getting a zone change, do you think you should make an effort to solve some of the problems? If you can't solve all of the problem, maybe you could help it or mitigate it somehow?

Mr. Unemori: You know, I think that's a consideration. I think you mentioned permeable paving. That certainly is a way to enhance percolation on the site. And it's something worthy of consideration if, you know, your recommendations go that way. But again, I just want to, want everyone to understand, because of the source of the water is so large, and it's off the site. Anything we do onsite whether it's permeable paving, impermeable paving, it doesn't solve the flood problem.

Mr. Bowlus: Right.

Mr. Unemori: We'll still have the flooding.

Mr. Bowlus: So if you doubled the retention basin, there wouldn't be, it would have no impact.

Mr. Unemori: If we took the entire site, we can build the building and dug it down to the water table --

Mr. Bowlus: Right.

Mr. Unemori: -- it would still flood the same amount. The neighborhood would still flood. You understand what I'm saying?

Mr. Bowlus: I got it. Okay.

Mr. Unemori: The flooding problem is external to the site.

Mr. Bowlus: Thank you.

Mr. Bowlus; I have just a couple of other questions that were really addressing questions that were raised. The, the design impacts of the, of the noise pollution, of the trucks in the back, if it's a vinyl fence in the back I don't see how that's going to help with that noise pollution in the

back affecting certainly immediate neighbors. And I don't know exactly what the circumstance of the trucks are, but I've seen many loading docks where the trucks run for a great length of time, and, and allow diesel, you know, grinding kind of noise. Is there anything you can do to mitigate some of the noise pollution for the neighbors?

Mr. Schnell: I'm sure there are restrictions that could be put in place or, you know, operating hours that could be established. I haven't talked to Walgreens about, you know, what their delivery schedule is and how they have to, you know, get trucks in and out. I'm sure that could be addressed.

Mr. Bowlus: Thank you. And then the, similar things, though, really, but the light pollution with the, the lighting on the back, I know that can be mitigated and can be directed away from the neighbors, but there's still reflective light off the building. There's going to be a lot of light affecting those people, and if they run, if those lights run until midnight every night, I can see, I can see that the neighbors would be concerned about that.

Mr. Schnell: I'm, I'm sure there's, there's lighting concerns for security reasons also, so, I'm not sure that --. They could turn off the lights, but I'm sure if the level of the light could be controlled.

Mr. Bowlus: Some of the neighbors are next to residential lots now though. And so that's, that's an issue for the zone change.

Mr. Schnell: Well, they are, they are right next to residents. They're next to residentially zoned lots, but the lot is a large gravel parking lot at this point.

Mr. Bowlus: Right. Percolating parking lot. And then one other thing was the...I guess, just the visual pollution of the, of the trucks in the back and all of the loading dock stuff. The buildings, by the way, the buildings, to me seemed to be beautifully designed and they present a great face to the street, but this is about the concern I have for the neighbors, and it is a big blank facade back there already. But when you have trucks back and forth all the time, is there more you could do for visual screening whether it's a hedge or a...thicker, taller planting of some kind?

Mr. Schnell: Sure. I mean, we can screen as thickly as, as possible. We do have --

Mr. Bowlus: But, I mean, can you give more than two feet? Is it possible to get more than two feet for that screening? Because that limits a great deal.

Mr. Schnell: Well, what I meant is that the, the requirement, the planting area, the width of the planting bed is required to be two feet. We're actually providing a planting area that's seven to nine feet wide. So that . . . (inaudible) . . .

Mr. Bowlus: That ought to give it screen.

Mr. Schnell: . . . (inaudible) . . . on the surface. So, you know, with that width of planting area

we have the opportunity to plant, you know, more dense and larger trees in that area.

Mr. Bowlus: Thank you. That's all.

Mr. Conrad: Thanks Robert. David?

Mr. Green: I share everyone else's concerns and I came in here thinking this is a really well designed project not knowing -- I did read about the flooding issue. But I think -- I don't have any additional questions. I think everybody's been very, very thorough. But I just think that there's a number of things that have come up that really ought to end up in our recommendations to make sure that whatever mitigation can be done is done addressing the neighbor, the neighborhood's concerns.

Mr. Robert Spilker: Everyone's mentioned all the problems that I can think of. I just had one question. Have you thought of putting a sound barrier type wall in the back? You know, like they did on the highways when it got too close to --

Mr. Schnell: Right.

Mr. Spilker: Because I'd be really concerned that the...the houses right across, right behind it, right behind the loading area would be objected to probably a considerable amount of noise. I mean, I'd like to see if you could look at some sort of sound barrier to break the, to break the noise.

Mr. Schnell: We could look at what the acoustic, acoustic impact could be. I mean, I'm not sure how high a concrete wall would have to be to --

Mr. Spilker: You'd get pretty high.

Mr. Schnell: I'm not sure if that's a desirable trade off to have a large wall in the back.

Mr. Spilker: The other question is the site lighting. I really think you really have to come up with something to address the site lighting. How high and where it would be, and how it will impact on the privacy of the neighbors.

Mr. Schnell: I think that's a valid concern, and we've heard that from many Board members.

Mr. Spilker: I understand. I'm the last guy in the row so I don't have that much. I just sort of say I agree with most of the questions and in spite of -- that's a comment.

Mr. Conrad: You're allowed to comment.

Mr. Spilker: . . .(inaudible). . . But I really, really, from a personal standpoint, find the corporate blue to be way out of place in that area. I mean, everything is basically earth tones and the big blue, the big blue facade I find not in agreement. We'll that's red and yellow, but I --. It's not blue. Blue is adding another color.

Mr. Schnell: I think maybe Jeff can address that better than I can, and I'll bring him up. But we were thinking that the color scheme and the color palette here was something unusual or unique to this area rather than your typical gray box or beige box.

Mr. Spilker: One of the things you might find is the way the color palette is because that's the way people like them in the earth tones.

Mr. Schnell: Jeff, you want to talk about the colors?

Mr. Benner: Jeff Benner. Well, we can take a look at it. If we can get to that corner, I think you're speaking to the one at the right.

Mr. Spilker: Yeah. I'm speaking of both sides. Yeah, yeah, the corner, the blue corner.

Mr. Benner: Yeah, we certainly can take a look at that. That was just the thought that, you know, was kind of the entry at one corner, and we've got the major entry at the other corner so it was just kind of a compromise with Walgreens to get the corporate color included. But I'm not opposed to it. If you've noticed the Maui Lani Walgreens, the only blue that we used was around the entry. We can work it out.

Mr. Spilker: Okay.

Mr. Conrad: Thank you.

Mr. Spilker: I had one more, and I don't know who it's for. One comment, where's the solar lighting and the solar heating? I don't see anything addressed here for --

Mr. Benner: We haven't gotten to that level yet. That will come later as we start to focus on the, kind of the technical design. But it would be up on the roof.

Mr. Spilker: Yeah, I mean --

Mr. Benner: We're just not quite at that level yet.

Mr. Spilker: But you are committed to.

Mr. Benner: I would say yes. Yeah. Most of, most of our . . . (inaudible. Multiple speakers) . . .

Mr. Spilker: . . . (inaudible. Multiple speakers) . . .

Mr. Benner: Yeah, most of our tenants that we worked over here has been committed to that.

Mr. Spilker: Okay.

Mr. Conrad: Thank you. Any other further questions or comments? Fiona?

Ms. van Ammers: Yeah, I was looking for a clarification on what is the setback of the building from the property line?

Mr. Schnell: What is the setback? I don't know that off the top of my head. You mean per County Code?

Ms. van Ammers: No, what you guys have designed for. Just give the perspective to the residents, like how close is the truck going to be from the property.

Mr. Benner: Okay, Jeff Benner again. From the new proposed property line along South Kihei Road, the dimension from right to left, before we hit that screen wall, the raised walkway . . . (inaudible. Did not speak into the microphone) . . . So this is 60 feet, six-inches across here. The closest point to the building.

Ms. van Ammers: Is that the back property line?

Mr. Benner: Yeah. This is the rear property line along Nohokai Street here. I would say it's in that 45 to 50 foot range.

Ms. van Ammers: On the south property line, the makai property line, of the building?

Mr. Benner: This would be the south here. Across here?

Ms. van Ammers: Yeah.

Mr. Benner: Well, let's see. We're about eight, 25...13. Probably about 45 feet.

Ms. van Ammers: Do you know if there's potential to move it more. . . (inaudible) . . . setback from the makai property line? That's where most of the residents are.

Mr. Benner: We've done our truck studies and...so as the trucks come in here from South Kihei Road, turning into the site, we've really tightened this up as much as we can to here....to get the truck movements to occur and up and around. If we had a foot, that's a possibility, but we really don't have much room.

Ms. van Ammers: Can the trucks go through McDonald's?

Mr. Benner: Well, that's really not the issue. I mean, the issue is...the issue is -- you're talking about bringing the trucks through here?

Ms. van Ammers: Yeah.

Mr. Benner: And up, and around and around and around?

Ms. van Ammers: I don't know. Have you look at alternative methods?

Mr. Benner: That's a little out of my purview there.

Ms. van Ammers: Because if you're --

Mr. Benner: I mean, I can't speak for that with respect to McDonald's.

Ms. van Ammers: Right. Okay.

Mr. Benner: I mean, we have a joint relationship in terms of kind of cross shopping between the two sites, and, you know, automobiles, vehicles, but not the large trucks.

Ms. van Ammers: Okay. I'm just thinking that it, you know, it might make the residents happier if you could get the buildings away from, farther away from that property line and perhaps your delivery trucks because they shouldn't be operating during normal, like high traffic flow . . . (inaudible) . . . There's another opportunity to look at the layout. But just something to consider. And then -- so that's my . . . (inaudible) . . . And then maybe Darren could speak to is there any offsite improvements that could happen to improve the flooding in the neighborhood? What would it take to do that?

Mr. Unemori: Well, you know, I think -- well, to answer your question most directly, I don't believe there's anything this project could do because of its small scale, relatively small scale, to deal with the problem of that magnitude. What you're really describing is an original drainage project to really reconfigure the way storm runoff is dealt with in that immediate area, which basically will take you well above Piilani Highway. Which is the area where some of the water is coming from. So for this particular project, no, I think what's really needed for the region to deal with the coastal flooding problem is a more comprehensive drainage plan. But because the coastline is so heavily build out it's very difficult because we would require the public to condemn land certainly, make a very large investment, and that's probably -- I'm speculating of course -- why it's been so difficult to get relief from this problem.

Mr. Conrad: Thank you Fiona. Any other questions or comments from the Board?

Mr. Sereda: I have, I have some comments. Sorry, I just did the questions earlier. Saving my comments for later. I would thicken up the edge, the landscape edge with residential areas. I don't think that the spacing of the trees, the tree spacing is adequate. I think it needs to be denser, denser planting along there. In terms of sound attenuation you might want to look at some different types of fences, other than vinyl. But probably not CMU concrete wall because the neighbors may not want that. But I think something, some type of sound attenuation that should be looked at some material other than vinyl.

And then you can go to seven feet without a permit on Maui so you can, you can go to seven feet for a fence. You could taller obviously you want to request a permit. But that's also something that you want to ask your neighbors, the neighbors about too, do they want a nine foot fence there.

I noticed that the landscape plan you don't have the required shade trees for, per Code, so

you'll have to rectify that obviously. I mean, I would --

Mr. Schnell: You mean the tree type or the tree spacing?

Mr. Sereda: The tree type. What you show are all palm trees, but we're actually, you're actually required to have medium sized shade canopy trees.

Mr. Schnell: Right.

Mr. Sereda: One tree for every five stalls in the parking. And so, that, you'll have to look at that.

Mr. Schnell: Well, we have the distribution of the one tree per five stalls. It's the type of tree, I understand.

Mr. Sereda: Correct. That's correct. The blue color, I think, should be looked at. And other than that, you know, I appreciate the design. I think it's actually a nice looking building and there's effort has been made to actually make it architecturally pleasing with the colors and, and the details that have been added. And I also appreciate the landscape designs in terms of the swales you have along the right of ways, and those are all on your property, and so those are part of the storm water system. And it's not common on Maui to see that where you have, it's actually an nice, green streets element, so I also appreciate that.

Mr. Schnell: It is a green streets element.

Mr. Sereda: Yes. So those are my comments.

Mr. Conrad: Any other questions or comments?

Ms. Feeter: I'd like to say one thing. On the positive side I actually like the blue, and I think the building design is very good. On the negative side I think the entire project is inappropriate for the site because of the flooding. I don't see how that can do anything but make the flooding worse. And for the neighbor on the west side, it would really be bad, as far as I wouldn't want to live there. So I'm very negative on the project, but that's not our purview, I guess.

Mr. Conrad: Alright, I have just a couple of comments myself. First off I think you guys did an excellent job on the design very much with David's said, that you did an excellent job, and I was also impressed with the green streets and the meandering sidewalk and so the --. And I see that you all did definitely tried to be sensitive to the, sensitive to the neighborhood as you could be given what your desires are, so I appreciate that.

I also -- this more of a comment -- I feel that...that a transitional project is more appropriate to this site than what I would call a fully commercial, kind of like, Maui, yeah, it's a big box situation, and I feel that it's not the spot for it myself personally. So, but I think the project itself in another location would have exquisite, so that's my comments.

So at this point what I think we need to do is come up with some recommendations whether -- to what our recommendations are. So I don't know exactly how to do this, but maybe each individual could go around with their recommendation, and then we can either vote on it or if there's consensus we won't need to do that.

Ms. Cua: As the person putting the letter together, if I, if I could recommend so that we don't have to kind of do this twice. I, I think if somebody's stating a comment if you could get concurrence, you know, by nods or whatever. If there isn't then a discussion and maybe get to some concurrence because then we can deal with that issue at one time, document it, and move on. Some of the, if you'd like, some of the areas that I heard that maybe you could start was, you know, permeable pavement dealing with drainage, possibly modifying delivery truck hours to mitigate impact to the neighbors. I heard concerns about lighting, possibly incorporating some type of sound barrier. I heard concerns about the color, the corporate blue color. Possibly being able to use thicker landscape edge, denser planting, possibly use of another type of fencing for sound attenuation. And then your comment about -- I don't know how you want to handle about -- maybe this particular project may not be appropriate and there may be a better transitional type of project. I, I don't know how you'd want to handle that, but that's kind of what I heard, and you know, from there if you could maybe start.

Mr. Conrad: Okay. And again, I don't know if this is appropriate but it seems to me, if, if as a Board we're going to take my comment or some of the comments were also made, but that last comment that I made about, feeling that it's an inappropriate site for this particular project. If we look at that first, then we may not need to get into all the details of what kind of sound barrier fencing we might want, and what kind of canopy trees we might expect to see and that. So I don't know if that's appropriate but it seems to me we should look at that first as a Board. Because I have a feeling that there's some of that going on, so anyway. And I'm not trying to lead it, I just want to -- rather to save time and energy.

Mr. Green: But, Hunton, wasn't -- that may or may not work. If it doesn't work -- if it doesn't work, we would have to do whatever, make the recommendations that we can do assuming it would work.

Mr. Conrad: Okay.

Mr. Green: I mean, I don't think, starting with that means that we don't have to do the other.

Mr. Conrad: Okay. Then let's us just proceed.

Ms. Cua: Right. Right.

Mr. Conrad: Okay, I agree. Thank you David.

Ms. Feeter: It seems to me we could, we could start out saying -- I don't know if this is a consensus -- that we all feel it's an inappropriate place for this project, but if it proceeds they should do this, and this, and this, all the things we've mentioned. Would that be appropriate?

Mr. Conrad: Yeah. Yes. So we could ask for it that way. Anyway, why don't we just go around and Fiona if you would begin I'd appreciate it.

Ms. van Ammers: So my recommendation would be the sound attenuation along the property line. Re-looking at the setbacks to help facilitate sound barrier. I disagree with the pervious pavement. But I do think drainage is a concern. Engineer should provide adequate...drainage improvements. That's it, I'll pass it on.

Mr. Sereda: In addition to that, as was mentioned, the thickening up the landscape planting so there would be more plants along the edge where there's the residential neighbors. And then making sure that it complies with Chapter 19.36A showing the shade canopy trees in the parking lot. And my only other comment was if we could have them reexamine the corporate blue color. That's it.

Mr. Jacobsen: In my opinion this is not an appropriate project for this site given the neighbors and the massing on this building I would say this is better served in another location.

Ms. Feeter: I think most of its been covered. My other concern from drainage is the neighbor somehow screening or maxing, maximizing the sound and light might impact that whole side of the project.

Mr. Bowlus: And we talked about the screen wall and then to the neighbors on the west, I think...I think that's a great idea. And I think that if this project does go forward I would recommend that that become more of a good neighbor wall also not be built. I think it should be taller, maybe an eight foot high wall or something like that. And I believe a CMU wall is fine, but I'd like to see it covered with some kind of a vine, some kind of a creeping fig or something that would turn a green face to the neighbor. And it should probably be set back from the property line so you'd have access on your property for trimming and keep it trimmed and present a good face to the neighbors. So that would, that would buffer the light, buffer the sound, and present a better face to the neighbors than just a fence. Thank you.

Mr. Green: I just -- that brings to mind a question. Where is the wall within this seven to nine foot green space? Is it in the middle, is it in the west fence, at the west side of the space? Is it on the east side of the space?

Ms. Cua: My understanding is it's on the property line.

Mr. Green: So none of the green space is going to be on the neighbor's side? It's all going to be on the Walgreens's side.

Ms. Cua: That is correct.

Mr. Green: Well, I'm building on what Bob said, I might think it would be a better idea to landscape both sides of the fence. However you do it.

Mr. Bowlus: . . . (inaudible) . . .

Mr. Green: Yeah. I would suggest that you move the wall so that there's a...there's an opportunity to landscape the other side of the fence, so as Bob said, something, it's not going to look like a big eight foot, seven foot tall wall.

Mr. Benner: Jeff Benner again. Might I suggest that because they also have a setback requirement, that if the wall were on the property line, or very close to it, we could still landscape each side. It's just that part of that landscape would be on their side and it becomes an issue where Walgreens wouldn't have to maintain it. Because in the reality it's on the opposite side of the wall . . . (inaudible) . . .

Mr. Bowlus: That's where it would be four or five feet on the other side of the wall on your property to access it and maintain it.

Mr. Benner: Well, on our side, but I'm thinking --

Mr. Bowlus: I don't think the neighbors are going to allow you on their property to maintain that landscaping.

Mr. Benner: See I was thinking because they also have a setback that Walgreens comes in and landscapes that on their behalf, but they maintain it from that point on because it's on their property.

Mr. Bowlus: That would be very difficult to negotiate, I think.

Mr. Benner: But it would be free landscaping for them, which quite frankly would be a, would be a nice improvement along here. But I don't know how that legally works, so, you know.

Mr. Bowlus: I'd move the fence back on your side and then that's how, that's how it would work. It would be easy. You wouldn't have to ask the neighbors for anything. You could do it all on your own property.

Mr. Benner: True, but by the time we have what's left over, between property line, the fence itself, the thickness of the fence, and then what landscape area is left remaining on the Walgreens side it's going to be, it's going to be fairly, it's going to be fairly thin. So do MacArthur palms for example.

Mr. Bowlus: What's the width of the, of the landscape setback? Is it nine feet?

Mr. Benner: Say the average is eight feet.

Mr. Bowlus: Eight feet?

Mr. Benner: Yeah. So if the wall thickness ends up at eight inches, and then we have curbs over here, we've lost a foot already.

Mr. Sereda: Can I comment on that?

Mr. Benner: Sure.

Mr. Sereda: Okay, so being the landscape architect on the, on the Board, you would have room for MacArthur palms if you move the wall back. And if you grew fig vines which is an excellent suggestion, on both sides of the wall, or at least on the neighbor's side, you don't need a lot of room for fig vines. Maybe a foot. And you could cover a CMU wall so that the neighbors would be looking at a green wall. And trimming that you only need to get over on to the other side of the wall to trim it. So there wouldn't be a lot of landscape that would have to occur between the wall and the neighbors property line. You wouldn't have to put trees in there, if you grew something on the wall to screen the wall, correct?

Mr. Bowlus: Yes, that's what I'm saying.

Mr. Benner: So it's just the dimension that needed for the maintenance?

Mr. Sereda: Pardon me?

Mr. Benner: Just the dimension, then, that's the concern for maintaining it?

Mr. Sereda: Yeah, so it would just be a matter of --

Mr. Bowlus: Three feet.

Mr. Sereda: Yeah, maybe two feet, depending on how wide does it needs to be for someone to stand there with a pruner and trimmer.

Mr. Conrad: And, I'd like to add to that, this comment cycle, in my opinion you could put a split face wall. Being a relatively industrial building if it's built in the way it's done and that being basically back of the house, you could actually put the wall on the inside of your landscape strip and have the entire landscape strip on the neighbor's side giving you access of seven to eight feet. And then put up a seven to eight foot wall, growing fig on the neighbor's side and just have split face on yours. Or set it in a little bit and grow fig on both sides which would buffer the sound better than a split face wall would.

Mr. Bowlus: Yeah. And you'd only need a foot or so to do that.

Mr. Sereda: So there's a number of options.

Mr. Schnell: I think we'd be open to working with that specific neighbor to mitigate their concerns on visual appearance and stuff, whether it's, you know, the type of wall or the type of plant. What I would just suggest that if the properties on that side remain residential, the residential owner could put up his own fence on the property line, and that neighbor on the opposite side would have this similar situation. You really can't control the wall unless your neighbor would be putting up.

Mr. Conrad: That's true, but it doesn't actually answer the concern of the neighborhood.

Because they'd be spending money to deal with the impact that you guys have created.

Mr. Green: Well, I don't know. Did we end up with a recommendation or not on that?

Mr. Conrad: We haven't gotten any recommendations other than, than Fiona's, I think, at this point. We have basically comments if I'm not mistaken. But you could clarify that for me.

Ms. Cua: I mean, if, if you all agree with, you know, the comments that has have been said then I think those are recommendations. I mean, Fiona's comment about sound attenuation along the property line, I think, you've expanded on that. Because I think -- were you talking about that rear property line as well. So I think, you know, that's the basic comment, and then you got a little bit more specific on, you know, possibly having a larger height on the wall, incorporate, incorporating additional landscaping whether it be on the neighbor's side or on the, on the Walgreen's side. You know, I do agree with, I think I heard a comment that they really should talk with the neighbors as to, you know, what they prefer. I don't think neighbors -- I don't think having landscaping on the neighbors property. I can't imagine the neighbor would want them going on the neighbor's property. So again, it's the combination of would the neighbors want, you know, three feet of landscaping on the Walgreen's property that people are going to have to go on the back and maintain that, or would they prefer just the fig on the, you know, some kind of vine on the, on the wall, with less? I, I don't know.

Mr. Conrad: So maybe see if I can recap and we can call a recommendation that some sort of sound and visual buffering on that west end of that property be provided by Walgreen's to -- and please, you know, agree with me or not. I'm just trying to consolidate all this.

Mr. Bowlus: . . . (inaudible) . . .

Mr. Conrad: Yeah, a wall, a CMU wall as opposed to fencing, I think everyone agrees would work better. And where that wall is located, negotiate that with the neighbor.

Ms. van Ammers: Is this something that we can request that they come back to show us their proposal?

Ms. Cua: That's your purview.

Ms. van Ammers: Because it is a -- they're having a design change . . . (inaudible) . . .

Mr. Conrad: That is, that is our purview, so we could vote on that and see if everyone agrees that they would like to have this come back in front of us. We have done that before.

Ms. van Ammers: Yeah. We did that for McDonald's. . . . (inaudible) . . .

Mr. Conrad: Would the group like to add that as . . . (inaudible) . . . Anyone opposed to that?

Mr. Spilker: I've got something to add.

Mr. Conrad: Okay.

Mr. Spilker: It sounds like you're . . . (inaudible. Multiple speakers) . . .

Mr. Conrad: So the answer is that we'll add that, I believe. Okay.

Mr. Spilker: On the northern and the western boundary -- and this is something if you come back -- on the north and the western boundary of the property line, I would really like to see some sort of lighting details for the site lighting that provides assurance it's not impacting on the neighbor's privacy and property.

Mr. Conrad: Okay, so we would add that to that recommendation on both the north and west boundaries. And then the other comments that I believe would become recommendations are that they look at the best way to improve the drainage. I know that Unemori has done a very good job of handling the situation as not making it worse. If there's any way on the two acre site to make even slight improvements if that could be added. I guess that's what we're asking for, Fiona, is that it?

Ms. van Ammers: Yeah. I actually don't think that they can improve it.

Mr. Conrad: I mean, I don't think either, but if we're asking, are we going to add that?

Ms. van Ammers: No, I, I think it's just reassuring that the proposed drainage improvements wherever they end up being, they're still gonna have submit permitting processes that they are addressing the impacts of this project. If they can do anything to improve the current situation that would be an added benefit. The question came up whether that the storm water retention basin that they're showing is adequate and given what information we received there's no way for us to verify that. It's basically off the testimony which I'm sure . . . (inaudible) . . . But, you know, just ensuring that they are addressing the drainage concerns as presented by the residents. That was --

Mr. Conrad: And would you recommend the only way to actually do that is to have another firm, another civil engineering firm look at it and ask that that be part of the recommendation. I mean that's the only way to verify that.

Ms. van Ammers: No, I think, I think the County, the Public Works could review it then.

Mr. Conrad: Okay. Alright.

Ms. Cua: Well, and I think there's --. You know what the, what the Public Works is gonna look for is are they meeting the County's rules on drainage. And I think they're, they're saying they're already are. But even if they do that, you know, the problem is beyond, the drainage problem is regional. It's beyond their site in terms of what they can contain. So...but what I, what I, what I wrote down is --. I mean, they know what you've, you've said. They know what the neighborhood has said. They know the existing conditions. I think what you've, you've comment is, commented is that, you know, if they can look at the best way to improve the

drainage for the area. And so, you know, maybe if you are gonna vote that it come back, you know, maybe that's one of the things you want them to come back on is, you know, if there's anything else they can do in that area. Because I think I've, I've noted, you know, three particular areas that you want to see, if you're gonna have them come back.

Ms. van Ammers: Yeah. Yeah, I guess they could --. So one of the suggestions was the pervious pavement which I, I had said I didn't agree with because there's maintenance issues associated with that that often makes it worse. But perhaps they can present more information on how they're going address the drainage.

Ms. Cua: So maybe I can ask the question. Do all, are all the members opposed to pervious paving? Or maybe we can have -- because that, I think, a big --. I mean, I think that's something that they said they could do. But maybe could we get a nod if that's something you want them to consider or --. Because I know we heard clearly from one member that she does not support that but --.

Mr. Conrad: It wouldn't do any good so I don't support.

Ms. Cua: Oh, okay.

Mr. Green: Isn't it really the County's role to do something about the flooding? It really should be the County that's tackling this.

Ms. van Ammers: Maybe the owners can facilitate discussions with the County on what offsite improvements can be made regional improvements.

Ms. Cua: I think the, I think the engineer did mention that they --. Oh, no, I think it was the neighbors that mentioned it, been in discussions with the County.

Mr. Conrad: I'm sure everyone wants this improved, I mean, to go away. But I don't feel it's this particular applicant's job to deal with it.

Ms. Cua: Right. That is correct.

Mr. Green: Yeah. I agree.

Mr. Conrad: Okay, the other comments that I have are adding the appropriate canopy shade trees as opposed to palms for every five. And then reexamine the corporate blue. I know some, some members are fine with it, and other members are not, so I think if it's just a recommendation is everyone okay that some people like it and some people don't? Okay. So I think we've come up with the recommendations.

Ms. Cua: Okay, I, I have five comments. I guess my question is...is this letter saying that you're deferring action today...you want them to address these five comments and come back, or is your letter saying that you're passing this along to the Planning Commission with these five comments?

Mr. Conrad: Would you read the five comments back to us?

Ms. Cua: Okay, and I can work better on the wording after. But basically you're looking at having them further address sound and visual buffers on the north and west end of the project to mitigate impacts to the neighbors. Two, to take another look at the drainage to see if there's -- you know, what is the best way that they can...they can help out with the drainage situation in the area. Three, for them to look at, or to present lighting details on the north and west boundary of the property to provide assurance that it's not going to impact the neighbors, or not negatively impact the neighbors. Four, that they, that the plans, the landscaping plan comply with Chapter 19.36A which is having shade trees within the parking, one every five stalls. I want to make a quick side comment on that. Even though it's not something shown on their plan right now. I mean, they can show it moving forward to Planning Commission, but that is something that when they do come in with their landscaping plans to our Zoning Division, when they're at the level, if they ever get to that point, their landscaping plans are going to have to comply with Chapter 19.36 and have shade trees, you know, versus palms trees in the parking lot to meet the one per five ratio. Number five, the last one, is to reexamine the corporate blue color and see...maybe how they can use it differently in the project. Is that --?

Mr. Conrad: I believe that's it. And the only thing I'd like to bring up with the, with the Board is that the second comment about the, trying to mitigate the --

Ms. Cua: Drainage?

Mr. Conrad: -- the drainage beyond what they've already proposed. Is that necessary? Because I think we're all in agreement that this particular applicant isn't capable of handling that situation. So I think we should remove that one.

Ms. Cua: So then you have --. So remove the comment on drainage.

Mr. Bowlus: That would be fine.

Ms. Feeter: I would like to maybe make a motion or propose, my feeling is that the project does not show a minimal impact on the neighboring properties and the public. And if the, if the project goes before the Planning Commission and is approved, then it should come back to us for recommendations. Is that appropriate?

Ms. Cua: No. I mean...we can have our attorney comment, but . . . (inaudible) . . . The thing is, the Planning Commission, in order to make its decision, needs a recommendation from this Board. So, so if you -- so we need to finish up with you before we get to the Commission. And if you're not comfortable today saying, okay, these are our comments, we just want you to forward it to the Commission. If, if you feel that in order to pass it on the Commission, to the Commission, you want to take a look at how they're gonna address in plan what you've commented on, then let's do that. But we need to finish with you, get some pretty definite direction and comments to move on to the Planning Commission. I did mention that we're going to the Planning Commission on Tuesday, but that's just on the Draft Environmental Assessment. An Environmental Assessment is a disclosure document. It's basically disclosing

what they want to do, there are alternatives, there are mitigative measures, so we're still in the comment period. All the comments, including your comments, is going to be, is going to need to be addressed -- your comment letter -- is gonna need to be addressed and incorporated into the final environmental assessment that goes back to the Planning Commission. And then beyond that, we're having a public hearing with the Planning Commission on the SMA and the Change in Zoning. So we're very, very early on in the process right now. This is the time where we want comments to be flushed out. So, you know, you just direct us as to how you want us to proceed so you're comfortable.

Mr. Conrad: Then I personally, and I don't know about the balance of the Board, but I personally, I would like to add that we do not feel this project has minimal impact on the neighboring properties, or whatever way we can say it legally that...that we don't feel that this is a -- you know, I like the word transitional -- this isn't a transitional project. This is a development project. And I don't know if the balance of the Board wants to add that as a recommendation.

Mr. Bowlus: I'd second that. I support that.

Mr. Spilker: I thought we were gonna put in that we thought that this was inappropriate for this particular site.

Mr. Conrad: So the Board is in unanimous agreement that, that we don't feel this -- however you say it legally.

Ms. Cua: What I had gotten, the wording that I wrote, that someone -- I can't remember who mentioned -- was that it's not an appropriate project at this site. And then I heard right now that this is not a transitional project. And I think you feel that maybe a transitional project would be better in this location. I think that can be like, you know, either you're, you're prefacing comments or your, your closing, just general comments. I guess I still have the question that are we having them coming back or are you just passing this on?

Mr. Conrad: We're not having them come back, I think. Are you okay with the Fiona?

Ms. van Ammers: I accept -- the majority agree.

Mr. Bowlus: Yeah, I think that's fine.

Mr. Conrad: I mean, we can take a vote. I mean, we are allowed to do that. So, I think, without taking a vote, the Board is generally in agreement that we don't need to have them come back.

Ms. Cua: Okay.

Mr. Conrad: And we all want to add that last, general comment, however you place it.

Ms. Cua: Right.

Mr. Conrad: Okay. I think we're there.

Ms. Cua: Okay, so we have the --. We took out the comment on drainage, correct?

Mr. Conrad: Correct.

Ms. Cua: So we have the four comments about the sound and visual buffer; the lighting, providing additional lighting detail on the north and west boundaries, providing assurance that it is not going to negatively impact the neighbors; complying with Chapter 19.36 about the shade trees in the parking lot; and reexamining the corporate blue. And then --. So those are your basic four comments. But then your general comments on this project is that you feel it's not an appropriate project at this site. You actually mentioned that it would be a stellar project somewhere else, in terms of the design. And that, that this is not a transition project which you feel would be more appropriate in this particular area.

Mr. Bowlus: Yup.

Mr. Conrad: Go ahead Fiona.

Ms. van Ammers: I, I think maybe adding why we don't think it's appropriate would be helpful to the Planning Commission. The one is the flooding concern. I think if it's going to the Planning Commission --

Ms. Feeter: Yeah, why did we leave out the flooding?

Mr. Conrad: We left out the flooding because this particular project cannot really significantly in any way mitigate the general issue, and so therefore to put a burden on an individual applicant, to me, is completely inappropriate.

Ms. van Ammers: Yeah. But would it be okay to tag that on to the statement?

Mr. Conrad: Well, I think the community and probably whoever ends up developing even if these guys do, everyone's going to want them to see that -- I mean, I'm speaking to the community at this point -- everyone's going to want this problem handled. But it's much larger than, and don't personally feel based on what the civil engineer has stated, that this project has in that way impacted the neighborhood negatively. I see other negative impacts. But I don't see that one because they can't solve the problem. I don't know. Anyway, I'll shut up.

Ms. Cua: Just a --

Mr. Green: Can I?

Mr. Cua: Okay, go ahead.

Mr. Green: Did we lose the comment about the placement of the wall and the green area and landscaping it?

Ms. Cua: No that's the sound and visual buffer comment. We didn't nix it.

Mr. Green: It's in that comment...that recommendation?

Ms. Cua: Well, I, I --. We're leaving it general because there's so many different scenarios that could take place to achieve a sound and visual buffer. I think what was said was that, you know, without really talking to the neighbors, and, and I guess them checking with corporate as what they'd be comfortable doing, it's really hard to, to dictate that at this point. The message is very clear as to what you want.

Mr. Green: It's just a recommendation. It wasn't --. We can't dictate anyway.

Ms. Oana: If the Board feels more comfortable we can leave that as the comment -- the sound barrier -- and to consider such things as, and that way you folks can, you know, or David said something about the . . . (inaudible) . . ., or Robert said something about the green. You know, you can give them such things as, and then they can think about that during Planning Commission, and then direct them to do that. But you can give them ideas of what you're thinking about.

Ms. Cua: Okay. Yeah, that would be helpful. So if you want to kind of --

Mr. Bowlus: Okay. And I'd like to add a such thing as.

Ms. Cua: Okay.

Mr. Bowlus: And that would be a, an eight foot high sound wall, concrete block, sound wall, setback four feet from the residential property line, adjoining residential property lines, to allow access on Walgreens property for trimming and maintaining that landscaping buffer. And landscape the back side of the wall that faces the residential neighbors with a wall clinging landscape material, such as creeping fig or some, some close vine that would cover, completely cover the block wall and all the landscaping and maintenance would be able to be done on Walgreens property.

Ms. Cua: Do I see nodding?

Mr. Conrad: Consolidated. Yes. Yes.

Mr. Bowlus: A little bit.

Ms. Oana: And just for the record, is there a unanimous consent on that? Just for the record. Any opposition? No? Okay.

Mr. Bowlus: No.

Mr. Green: Let's move on.

Ms. Oana: Any other such as for that particular concern or comment?

Ms. Cua: I got it.

Mr. Bowlus: If I have one more. Would it be appropriate to ensure that no surface water from Walgreens property went to the neighbor's residential property by way of concrete block wall, the full width of that adjoining property wall, property line. And so with a retention basin at least any water that was heading that way would flow to the street and down the street because you can't --. It has to go somewhere. But at least this water did not go to the neighbor's property.

Ms. Cua: That's a scary one for me. I, I don't know.

Mr. Bowlus: Well, a block wall, a whole length of the property, that would be, that would do the, whatever can do.

Mr. Sereda: But the condition of the --. If they're required to maintain, to contain all the storm water onsite anyway.

Ms. Cua: That they generate onsite though.

Mr. Sereda: Onsite.

Mr. Jacobsen: Even if you waterproofed that block wall and put a swale down that nine foot buffer, you're going to the retention basin. That basin is not going to be able to handle that amount of water.

Mr. Bowlus: Right. Exactly right.

Mr. Jacobsen: It's going, it's going to spill out around the neighbors.

Mr. Bowlus: Again, it spilled to the streets and not to the, over the residential sideline.

Mr. Conrad: It's too much water. It can't . . . (inaudible) . . .

Ms. van Ammers: That would be engineering.

Mr. Conrad: I think --. I mean, I think, adding that comment, I think you've succeeded in handling it to the best possible.

Mr. Bowlus: With the landscape wall.

Mr. Conrad: With the landscape wall. Yes.

Mr. Bowlus: . . . (inaudible) . . . Thank you.

Mr. Conrad: Thank you.

Ms. Cua: Okay, you're --. So we're gonna --

Mr. Conrad: Move ahead with these recommendations.

Ms. Cua: Move ahead with these recommendations. Alright. Thank you.

Mr. Conrad: Could we have a unanimous consensus on the record just so that's part of the recorded record?

Ms. Oana: Any opposed?

Mr. Conrad: Any opposed? Seeing that there -- this is passed. The recommendations are passed.

Ms. Cua: Thank you very much.

By unanimous consent, the Board forwarded four recommendations/comments, as discussed, to the Planning Commission.

***Assenting: R. Bowlus, D. Green, F. Feeter, P. Jacobsen, D. Sereda,
R. Spilker, F. van Ammers***

Excused: D. Callinicos, R. Phillips

Mr. Conrad: Great, so we'll take a 10 minute recess and re-adjoin for their second item on the agenda.

(The Board recessed at approximately 12:20 p.m. and reconvened at approximately 12:33 p.m.)

- 2. MR. WILLIAM SPENCE, Planning Director requesting comments on the design plans relative to the adopted Molokai Country Town Business Design Guidelines on the Country Town Business review application from MR. LUIGI MANERA on behalf of MR. EDMUND WOND to construct a new two-story commercial office building with restaurant, landscape improvements, parking lot with loading dock, and a driveway on property situated at 160 Kamehameha V Highway, TMK: 5-3-006: 039, Kaunakakai, Island of Molokai. (CTB 2015/0003) (SMX 2014/0572) (Sybil Lopez)**

The Board may provide its comments on the proposed project design to the Planning Director relative to the Molokai Country Town Design Guidelines.

Mr. Conrad: Bringing the Urban Design Review Board back into session. Our second item on the agenda today . . . *(Chair Hunton Conrad read the above project description into the record.)*

So with that, planner?

Ms. Sybil Lopez: Good afternoon Board Members. My name is Sybil Lopez, and I'm the staff planner on this project. The reason why this project is here in front of you today is the rules relating to the Country Town Business Design Guidelines for the Molokai Community Plan area. It is situated in the Molokai Community Plan as a Business Commercial under the Country Business District of Kaunakakai. And under the rules 12-305-7, under the review process, and I'll state it...letter (a) applications for new or reconstructed structures or renovations to existing structures involving 50% or more of each exterior elevation of the structure shall be processed as follows. Upon receipt of an application, the Director shall forward the application to the Maui County Urban Design Review Board for review and recommendation at its next available meeting date. So this is why we are here today. And I do have Luigi Manera on behalf of Edward Mond -- Wond -- as well as Robert Stephenson. And I will turn the time over to them because they have a power point presentation to present to you today. Thank you.

Mr. Robert Stephenson: Aloha Board Members. Good morning. My name is Robert Stephenson. I work in the office of Architectural Drafting Services for Luigi Manera, and we are the consultant on behalf of the project before you today. Thanks for the opportunity to be here. We, we appreciate this opportunity to present to you. And I promise you that we will take far less time than your previous matter. Because I know everybody is probably get to lunch or finish the rest of your day, whatever it may be.

The property owner, Mr. Edmund Wond, he and his family, they own the Napa Auto Parts Store in Molokai, just a neighboring parcel to this parcel. And the family, they want to, they want to construct another, this, this building here for the purposes of a restaurant and office building. The owner and his family, they're, they've been wonderful members of the community for decades and they're good people, and they want to do what they can to help beautify our community.

So you see here, this the Wond Commercial Complex Restaurant and Office space. The color rendering there. The applicant is Edmund Wond. We're the consultant, Architectural Drafting Services. Tom Hackett is the architect for the project. And it is on, it is in southeast Kaunakakai. 160 Kamehameha V Highway. It is just makai of and fronting Kamehameha V Highway.

Project area is 10,844 square feet. We're in the urban land use district. Molokai Community Plan District is Business Commercial. Maui zoning is Business Country Town. We are in the Special Management Area, and we're in flood zone X, protected by levee.

The Business Country Town Guidelines that we have...that the project has been designed with, we have listed the Business Country Town Guidelines that the -- that are applicable to the project, there's nothing that is contrary to any of the guidelines, but many of the guidelines have been omitted because they're not applicable to this particular project. So if you'd like it's up to the Board and in the interest of time, if you'd like we can go through these one by one, or if you're satisfied with the information you've received in your packet we can just continue on.

Mr. Conrad: Board Members, are you in favor of that? Okay. Yes.

Mr. Stephenson: Great. So we'll just continue on to, to, right through all the design guidelines and...the plans of the project as you have before you, this is the vicinity map, the T1, the T1 sheet shows the project location. You all have those in your, in your packet.

Mr. Conrad: Actually that piece isn't in our packet.

Mr. Stephenson: The, the T1 is not in your packet?

Mr. Conrad: But that sheet is.

Mr. Stephenson: Okay, the T2. Pardon, pardon me, it should have been, and perhaps that is our error.

Mr. Conrad: It's missing just in mine. That's okay, no problem.

Mr. Stephenson: Okay. Thank you. And the T2 shows the site plan with the landscaping and the parking and the siting of the structure, and its orientation to the road. As you can see, here's the floor plan of the first, of the first floor plan which is the restaurant with the separated kitchen, and the bathrooms will be on the first floor. Sheet A2 is the second floor...floor plan with the office buildings...or the office suites rather. And on sheet A3 we have the elevations. We have the front, rear, and right side and left side elevations. And these are the details for the stair details and the foundation plan on sheet A4. Sheet A5 is the roof framing plan and the floor framing plan. We have the cross section details on sheet A6 and some of the framing details and footing details. More details on sheet A7. And we've, we've produced two color renderings. One that is looking from the street view, from directly across. Directly across from this property is Kaunakakai School. And so this would be if you were standing on the edge of the, I guess, the playground area of Kaunakakai School, looking, looking towards the property across Kamehameha V Highway, towards the south shore. And the second view is from an elevated perspective to give another view of the proposed project.

Photographs, this is, these photographs were taken from the center of the property. And this is a photograph looking directly north, which across the street is Kaunakakai School. This is the neighboring property to the west. This is the neighboring property to the north. I'm sorry, to the south. Pardon me. And that would be, the south coast line would be, it would be a ways from that. And the neighboring property to the east, which is the Napa Auto Parts building which is owned by the applicant. And we have a close up of the, the neighboring building. And as you can see the, the applicant has chosen to construct the building in a similar style, fashion, and using a similar color scheme in order to keep consistency with, with the neighboring parcels.

And with that, we thank you very much for your time, and we're happy to answer any questions that you may have. So I will turn it back over to you Chair.

Mr. Conrad: Alright. Thank you sir. Robert, would you like to begin with any questions or

comments?

Mr. Spilker: No, I have no questions.

Mr. Conrad: David?

Mr. Green: What is the reason that the second story extends in several areas over the first story? Why is that done? I think it looks a little odd personally.

Mr. Stephenson: That was a design choice by the, by the owner and his family. It was something that they want. They chose to design to design it in that fashion, something to set it apart, to make it a little bit unique and recognizable. And that's our understanding.

Mr. Conrad: Robert?

Mr. Bowlus: I have a question, a similar question about the pop up, the little square things that stick up. There's no signage shown on the illustrations. Is that going to be -- is that a pop up to give you more signage on top? Is there signage that's proposed that's not shown?

Mr. Stephenson: Well, the pop up area if you look -- we'll go back -- if you see the neighboring building, that's a, it has that similar architectural, that plantation style. And there's a number of buildings within Kaunakakai, and within the plantation style architecture that has that. The reasons there aren't --

Mr. Bowlus: There's no room for signs. It looks like that's all signage.

Mr. Stephenson: Well, the pop up isn't necessarily for signage. But what we do know is there isn't any proposed signage yet because the tenants for the office building and for the restaurant have yet to be determined. And so once that signage comes up, then we will, we'll go through the process of obtaining all the applicable permits for the signage.

Mr. Bowlus: Well, I like the low roof on that existing one because it kind of breaks up that mass. And what David was just talking about, about the cantilever. You know, if you have that little low metal roof around there, it kind of softens the building a little bit.

Mr. Stephenson: If you can see on the right hand side we do have a similar roof and we have the, the...the awnings above the second story windows as well.

Mr. Bowlus: Okay, no further questions.

Mr. Conrad: Thanks Robert.

Ms. Feeter: I don't have any questions.

Mr. Conrad: Peter, do you have any questions or comments? Peter? Do you have any questions or comments?

Mr. Jacobsen: No, I don't.

Mr. Conrad: David?

Mr. Sereda: Yeah, I just have a question. What is the purpose of --. So there's a little wall -- it looks like there's a little CMU wall . . . (inaudible) . . . the building.

Mr. Stephenson: Yes.

Mr. Sereda: And then behind the wall, is that for outdoor seating?

Mr. Stephenson: No it's not. The purpose of that -- we have -- there's a wind corridor in Kaunakakai. And all of the neighboring parcels are, are undeveloped, and they have, you know, a lot of dirt, a lot of exposed dirt. And one of the things that we deal with over in a rural community is when there are several undeveloped parcels, we often get dusts with those wind corridors. And so that was meant to protect because that's on actually the windward side of the, of the property. So, that's the sole reason for that, for that wall.

Mr. Conrad: Thank you.

Mr. Sereda: I don't have any other questions.

Mr. Conrad: Thanks David. Fiona, do you have any questions or comments?

Ms. van Ammers: No.

Mr. Conrad: I have a couple of, I guess, of comments.

Mr. Stephenson: Yes sir.

Mr. Conrad: One is that I recommend, I guess this is more of a recommendation, would it be possible -- I guess my question would be, would it be possible to, on that, on that corner there, on the two corners of the eight foot projection, overhang, I guess, you know, where the second floor is larger. I believe it sticks out eight feet towards that wall. Is this, is this overhang eight feet? I believe it is.

Mr. Stephenson: Yeah. Yeah, pretty close.

Mr. Conrad: So, and then this wall is how far out from the eight foot? Further? Is it further or is it in line with the eight feet? It's hard to tell.

Mr. Stephenson: It's further.

Mr. Conrad: Okay, so would it be possible to add, even though it's not structurally necessary, would it be possible to add a couple of columns there, to bring it in to a more, a little bit more traditional look of a historical, you know, kind of cowboy town? So anyway that would be --.

I'm asking a question if that would be physically possible to do based on your traffic flow plan?

Mr. Stephenson: The columns underneath the overhang? Extending around?

Mr. Conrad: Yeah, they look like it's supporting it as opposed to having a cantilevered. It was a question if it --

Mr. Stephenson: As far as the engineering, it is possible.

Mr. Conrad: I was thinking more of the flow because obviously it's quite well engineered if it's overhanging eight feet. But if, if it would not interrupt the flow of traffic, in and out of the building. It's a question.

Mr. Stephenson: It could. It could interrupt the flow of traffic the way it's designed with the, with the doors, with the entry way doors on both corners here. So, we could do that, but it could interrupt the flow of traffic. But, you know, we're open to any recommendations or suggestions that you folks may have.

Mr. Conrad: Thank you. I guess, is it --? Most of them didn't have any questions. Are there any recommendations?

Mr. Sereda: I have a question for the other Board Members. Can I do that?

Mr. Conrad: Yeah.

Mr. Sereda: Okay. I've never --. Obviously this is only my second meeting. I haven't reviewed anything to do with design guidelines, BCT design guidelines. If you have, does that look like -- is the building, in general, look like it meets plantation style commercial guidelines? For the architects in the room, just as a question.

Mr. Conrad: Well, for me as a designer, it does not, and I'm an architectural designer. I'm not an architect, but that's what I do as a profession. And I read the guidelines this morning, and it didn't specifically, so I agree with your comment that you're not opposing any of the guidelines. It didn't specifically refer to that in the guidelines that I read because I've never the Molokai guidelines. So, but I don't think it looks like a historical building to me.

Ms. Feeter: Can I say something? I think -- I'm just guessing because I live in Molokai -- but this design is based on the fact that the building next door owned by the same person is almost exactly like this and they're trying to make the continuation of that look rather than making an entirely different look. . . . (inaudible) . . . but it seems to me it fits in with what's next door rather than if you put a green shingled building next door.

Mr. Stephenson: And if I may respond to that. Yes, that's correct. The owner, the owner which is the applicant, wanted to, to maintain a similar character with the, with the two buildings.

Mr. Conrad: And then I have a second, I guess, . . . recommendation which is that you consider

taking the CMU walls, both on the perimeter and the one that's your wind barrier and painting it either that dark blue trim color or, or some other color that would fit in with your color scheme. But the reflectivity of those walls, I think, actually takes away from the color and the design of the building.

Mr. Stephenson: That's a great point and good recommendation, and we would be open to that. Yes, it would be possible, and we would be open to that.

Mr. Conrad: Any other questions or comments?

Mr. Green: Well, I'd just like to go back to your point, Hunton, if, if you could do it, I think, it looks, to me -- I'm not an architect -- to me, it looks funny to see the cantilever next to the, you know, where the entrance is, where that lower wind blocking wall is. If you could, it looks to me like -- well, I can't tell from the elevations here -- but if you could put some kind of support under there, even though it's not required for a structural perspective, I think it would make it look a lot more, from my perspective, it may make it look a lot better.

Ms. Feeter: Personally, I would not like the wall blue. If you ever been to Molokai, we do happen to have a home on the highway, several buildings that are bright blue, and they're really eye popping. So, to put that blue on the wall --

Mr. Conrad: Yeah, I just meant a contrasting color to the body of the building. And, you know, some kind of, maybe the color of the awnings, you know, the color that's on the roofing of your awning or something which --

Mr. Stephenson: Sure.

Mr. Conrad: That's a --. Just an opinion.

Mr. Stephenson: I know it would be the, it would be the choice of the applicant not to paint it blue. That's why we've gone with the white. But perhaps there's a way to meet somewhere in the middle with a darker, an off white or maybe even a light gray to off set that reflectivity that . . . (inaudible) . . . So we would take that recommendation into consideration, and based upon on the wishes of the owner and the decisions of the Molokai Planning Commission do what, what is appropriate.

Mr. Spilker: Perhaps if you had shown some cars in the parking lot rather than leaving people just meandering around, it, it would have put it more in perspective.

Mr. Bowlus: It must be a good building. People are running to get into that.

Mr. Stephenson: You know that's, that's a great point and we'll put that in our notes for subsequent presentation. But we wanted to --. You know, Molokai doesn't get much traffic. What we call a traffic jam in Molokai is when you see another car on the road.

Mr. Bowlus: Yeah, that's for sure. I'd make a recommendation, I guess, if I could, and that is

that...not to design the building at all. But I just think that if you would just read and implement as many items as you can from the Country Town Design Guidelines and the design elements that are in there, that's exactly...what we'd like to see. However you see fit. Thank you.

Mr. Stephenson: Thank you.

Mr. Conrad: Alright, it seems like we're --. Maybe if you would, yeah, read us the recommendations.

Ms. Lopez: Okay. So the only recommendation that I got, but before I say the recommendation I just wanted to let you guys know that this highway is the main highway on the whole island of Molokai that goes east bound. So it's just -- if you're going east bound, you're leaving our town. So just in consideration of the color scheme, it's like what Ms. Feeter said that it's an eye opener if you're right on the side of the highway, and everyone that has to pass and drive this road is going to see it. So just kind of considering that, that location. But ready for the recommendation. So the only recommendation I've heard was to -- that the proposed project will be, will --. Excuse me. Sorry. That the UDRB recommends that the proposed project would be in alignment with the CTB Design Guidelines for the Kaunakakai Country Town Business District.

Mr. Conrad: And I would add to that to, which I think is part of what Robert is saying, is to consider the building looking a little bit more historical, and not having such a contemporary look of overhang...or cantilever. Excuse me. Wrong word.

Mr. Spilker: You could say pop up goes back to plantation, and cantilever is. . . (inaudible. Did not speak into the microphone.) . . .

Ms. Cua: Excuse me Chair? Chair?

Mr. Conrad: Yes?

Ms. Cua: Do you want to also add about the, the wall? About the --

Mr. Conrad: I seemed to be the only one who considers that. But I do think it would make the building look better in its environment if those, the boundary walls as well as the windbreak wall, were painted a slightly darker and just a different color from the building itself. And then maybe we could take a vote on that as recommended by our attorney.

Ms. Feeter: Make it a dirt color so it would blend in.

Mr. Bowlus: Earthy color. Maybe an earthy color.

Mr. Conrad: Yeah, some kind of earthy color. So --

Mr. Bowlus: I'm in favor.

Ms. Oana: Okay, let's take a vote on that. And Sybil, can you read it back so they know what they're voting on?

Ms. Lopez: So the UDRB recommends to Molokai Planning Commission that the proposed project will follow the, the design guidelines based on the Kaunakakai Country Town Business District with consideration that the building to be more historical with a modern of the cantilever, and a plantation on the canopies. With also considering the boundary walls and the windbreak walls to be slightly darker, more earth tone color.

Mr. Conrad: Is everyone in agreement that that's an accurate statement?

Ms. Feeter: What do you mean by you want them to eliminate the cantilever . . . (inaudible) . . . the building?

Mr. Conrad: I don't want them to eliminate because I don't want them to lose square footage. What I want them to do is figure out a way to accommodate the traffic flow of entrance and exit to still have columns there. It looks like it's holding it up. Because that meets more of the historical look. I mean, you never saw a building with an eight foot cantilever in 1888. I mean, it just didn't happen.

Mr. Bowlus: On two sides?

Mr. Conrad: Yes.

Ms. Lopez: So with the addition of the columns?

Mr. Conrad: Well, I don't want to be that specific. I mean, it could be brackets, you know. But --

Ms. Oana: Maybe we can put, and to consider, yeah, to consider things such as. So it's the Planning Commission, it's for them to consider, that they know what the UDRB was intending to consider.

Ms. Lopez: So considering such as columns to break the --. Would it be breaking the flow of the --

Mr. Conrad: To visually support. No, just say, columns to visually -- to visually look like support for a traditional building.

Ms. Lopez: To consider such as columns to visually support traditional buildings in consistent, in consistent -- with consistency to the CTB Design Guidelines.

Mr. Conrad: Thank you. That was very well put.

Ms. Oana: I'm sorry, can that all back? Just the two recommendations.

Ms. Lopez: Okay. From the top and all in one? Okay.

Ms. Oana: Did you write it all in one, or are they separate?

Ms. Lopez: Well, I put it all together, but I can separate the considerations. So there's one recommendation with a bunch of considerations.

Ms. Oana: Okay, so this recommendation is for the -- are we talking about the CTB Guidelines?

Ms. Lopez: Yes.

Ms. Oana: Okay. Let's, let's read that, that recommendation in full, including the such as, and then let's vote on that.

Ms. Lopez: Okay.

Ms. Oana: And then I think there was another recommendation?

Ms. Lopez: I think I put it all in one because then it's -- to be consistent with the CTB Guidelines. So that would be my ending.

Ms. Oana: Okay. Why don't you read all that back.

Ms. Lopez: Alright. Okay. So, the UDRB recommends to the Molokai Planning Commission that the proposed project will be consistent with the CTB Design Guidelines based on --. Sorry, slow down. Let me try again. So the UDRB recommends to the Molokai Planning Commission that the proposed project be consistent with the Molokai Design Guidelines based on the Kaunakakai Country Town Business District. In consideration for the building to be more historical, with the cantilever and the canopy be a modern/plantation; and the boundary walls and the wind breaking walls be slightly darker, such as the earth tone colors. And considering, such as, the columns to visually support traditional buildings with being consistent to the Kaunakakai Country Town Business District Design Guidelines. So I kind of double said that in the beginning and in the end.

Ms. Oana: Could you change that, instead of in considering, can you put, and for the Planning Commission to consider things such as? That way the UDRB is giving them things to think about and then they can say yes or no.

Mr. Bowlus: I'd like to add one more if I could. In just reading the design guidelines, and part of the submittal, it says the roof and canopy, the roof and canopy facing the street shall be 4 and 12 pitch, vertical to horizontal, incorporating a deep corrugated traditional metal roofing. And that's kind of what I was talking about before about carrying that sloping roof around the front. It helps -- it would also help mitigate that cantilevered look, and create more of a walkway, covered walkway look around there. And so these are recommendations for your consideration. That's all.

Ms. Lopez: So would it go around where the blue trimmings are at? Right around?

Mr. Bowlus: It could go maybe from the window sills, out. Like the other building that you showed us had that same walkway.

Ms. Lopez: Kind of follow the one in the back.

Mr. Bowlus: Yeah, and then maybe --. Exactly.

Ms. Lopez: To go -- to wrap around?

Mr. Bowlus: Yeah, soften that all the way around. Right. That would help hide that cantilever, I think, also.

Ms. Lopez: So can I repeat that, what you just said? So by adding the canopy to wrap around the building, the frontage of the building, would bring a more historical and plantation look.

Mr. Bowlus: Yes, it sounds fine. Thank you.

Mr. Conrad: So we're all clear about what the recommendations are? And if we are let's have a vote. All in favor say aye? All not in favor? The motion is -- I mean, it's carried. The recommendations are carried. Thank you very much.

By unanimous consent, the Board forwarded recommendations and comments, as discussed, to the Planning Commission.

***Assenting: R. Bowlus, D. Green, F. Feeter, P. Jacobsen, D. Sereda,
R. Spilker, F. van Ammers***

Excused: D. Callinicos, R. Phillips

Ms. Lopez: Thank you. Thank you.

Mr. Conrad: Okay, now agenda. Let me get that.

Ms. Cua: Mr. Chair?

Mr. Conrad: Yes?

Ms. Cua: Would I be able to ask a question?

Mr. Conrad: Yeah.

Ms. Cua: I don't know if our attorney would be okay with this, but something just came up one Walgreens and I just want to get clarification I understood what you meant. You know when we talked about the having additional buffering, and you said the west and north, you were meaning here and here, correct? You weren't meaning here and here.

Mr. Bowlus: No, adjoining the residential.

Ms. Cua: Adjoining the residential. Okay, that's what I thought. We just wanted to get clarification. Okay. Thank you.

D. DIRECTOR'S REPORT

1. Status of the board vacancy

Mr. Conrad: Okay, now I think we move on to the Director's Report.

Mr. Yoshida: Thank you Mr. Chair. Members, good afternoon. I have reminded my bosses who have reminded their bosses that there has been a vacancy on this Board since April of 2014. And if their bosses need help in finding somebody to fill the vacancy, then the Department is willing to assist.

Mr. Conrad: Thank you.

2. Agenda items for the July 7, 2015 meeting.

Mr. Yoshida: Our next meeting is scheduled for July 7th, and we do have an agenda item which is the sign variance for Wendy's at Maui Mall.

E. NEXT MEETING DATE: July 7, 2015

F. ADJOURNMENT

Mr. Conrad: Alright, thank you Clayton.

Mr. Yoshida: And so, again, we want to thank the Board for their work today, especially on the Walgreens item. I know that wasn't the ideal Special Management Area Use Permit to be the first one, but, you know, we appreciate your efforts on that.

Mr. Conrad: Thank you. And I want to acknowledge our attorney. I think she did an excellent job in support today.

Ms. Oana: Thank you.

Mr. Conrad: Alright, the meeting is adjourned.

There being no further business brought forward to the Board, the UDRB meeting was adjourned at approximately 1:05 p.m.

Respectfully submitted by,

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

RECORD OF ATTENDANCE:

PRESENT:

Robert Bowlus
Hunton Conrad, Chair
Frances Feeter, Vice-Chair
David Green (from ~10:27 a.m.)
Peter Jacobsen (Alternate)
David Sereda
Robert Spilker (Alternate)
Fiona van Ammers

EXCUSED:

Demetrios Callinicos
Raymond Phillips

OTHERS:

Clayton Yoshida, Planning Program Administrator, Current Planning Division
Ann Cua, Staff Planner
Sybil Lopez, Staff Planner
Jennifer Oana, Deputy Corporation Counsel