

**MAUI PLANNING COMMISSION
REGULAR MINUTES
JUNE 23, 2015**

A. CALL TO ORDER

The regular meeting of the Maui Planning Commission was called to order by Chairperson Keone Ball at approximately 9:13 a.m., Tuesday, June 23, 2015, Planning Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui.

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

Chair Ball: ...meeting to order. We have a quorum.

B. PUBLIC TESTIMONY - At the discretion of the Chair, public testimony may also be taken when each agenda item is discussed, except for contested cases under Chapter 91, HRS. Individuals who cannot be present when the agenda item is discussed may testify at the beginning of the meeting instead and will not be allowed to testify again when the agenda item is discussed.

Chair Ball: We offer a chance for public testimony at this time. If you'd like to testify you have three minutes to do so. You may testify on any agenda item at this time. If you'd like to wait till the agenda item comes up, you may do so also. If you testify now on an agenda item, you will not be able to testify later on the agenda item. So if you'd like to testify now, we have Joe Pluta on the sign in sheet. Would you like to testify now?

Mr. Pluta: Sure.

Chair Ball: Come on forward.

The following individual testified at the beginning of the meeting:

Joe Pluta - Unfinished Business, Item D-1, Newport Hospital Corp., Phase 2 Project District Approval

His testimony can be found under the item on which he testified on.

Chair Ball: Would anyone else like to testify at this time? Seeing none, public testimony is now closed. We will open up Item C, Public Hearings. Clayton?

Mr. Yoshida: Thank you, Mr. Chair. For the record, Clayton Yoshida, Administrator, Current Division, Planning Department subbing for the Director, Will Spence who's going to Lanai for the Council Planning Committee meeting this evening on the Lanai Community Plan update, and also for Deputy Director, Michele McLean who's on vacation.

So the first item, public hearing item we have is the request from Ms. Dee Coyle, Project Manager of KBHL, LLC., requesting a Special Management Area Use Permit for the proposed redevelopment of the Plantation Inn at 174 Lahainaluna Road, TMK: 4-6-9:036, 038, and 044, Lahaina, Island of Maui. Improvements include the demolition of existing structures, consolidation of parcels 036, 038, and 044, construction of a two-story guest building with 14 rooms, creation of separate 9-stall

and 14-stalls parking lots with driveways, construction of accessory hotel improvements, and the installation of landscaping, required infrastructure, and utility systems. Presenting the staff report is Planning Supervisor, Jeffrey Dack on behalf of Staff Planner Candace Thackerson.

C. PUBLIC HEARINGS (Action to be taken after each public hearing.)

1. **MS. DEE COYLE, Project Manager, of KBHL, LLC requesting a Special Management Area Use Permit for the proposed Redevelopment of The Plantation Inn at 174 Lahainaluna Road, TMK: 4-6-009: 036, 038, and 044, Lahaina, Island of Maui. (SM1 2013/0008) (J. Dack for C. Thackerson)**

Improvements include the demolition of existing structures, consolidation of parcels 36, 38, and 44, construction of a two (2)-story guest building with fourteen (14) rooms, creation of separate nine (9) stall and fourteen (14) stall parking lots with driveways, construction of accessory hotel improvements, and the installation of landscaping, required infrastructure, and utility systems.

Mr. Jeffrey Dack: Yes, good morning. And I am subbing for Candace Thackerson this morning as she's out on leave today. So Chris Hart & Partners has prepared an Environmental Assessment and an application for Special Management Area Use Permit for this proposed development of the Plantation Inn. It's a bed and breakfast style hotel establishment in Lahaina. The action will involve three TMK parcels which are owned by KBHL. The combined land area of the three parcels is 44,264 square feet or 1.2 acres.

The existing Plantation Inn improvements on Parcel 36 include a couple of two-story buildings containing 19 guest rooms and Gerard's Restaurant, guest parking, and a landscaped courtyard with pool, pool deck, swimming pool and spa. As part of the proposed project, Parcels 036, 038, and 044 will be consolidated and resubdivided to create a single lot and two road widening lots. The existing structures on Parcel 038, a former office building, and on Parcel 044, a former dwelling and barber shop would be demolished.

The Urban Design Review Board recommended approval to the Planning Commission with three design related recommendations at the January 7, 2014 meeting. The Maui Planning Commission reviewed a Draft EA and issued five recommendations for revisions at the January 14, 2014 meeting. The Cultural Resources Commission recommended five items to be in the EA including concern about the demolition of the two older dwellings due to possible effect on the National Historic Landmark District. The applicant revised their drawings and resubmitted to the Department in April of last year. And the Commission reviewed the revised Final EA or FEA and issued a Finding of No Significant Impact at January 27th meeting this year.

The vicinity of the project site is characterized by businesses and that support the visitor industry in disbursed with areas of single and multi-family residential development. The subject property falls within the limits of the National Historic Landmark District as was mentioned, but is not situated within the Lahaina Historic Districts 1 and 2 which are regulated by the County of Maui.

The property ranges in elevation from 13 to 17 feet above mean sea level. It's located approximately 500 feet from the shoreline and is in Zone X, an area determined to be outside of the 0.2 percent annual chance floodplain. I will now introduce Jordan Hart, owner...the consultant for the owner, who will be more fully presenting the project and before the hearing I need to return to the podium to present the Department's analysis. Thank you.

Mr. Jordan Hart: Thank you, Jeffery. Good morning, Chair, Commissioners.

Chair Ball: Good morning.

Mr. Hart: My name is Jordan Hart of Chris Hart & Partners. I will be thankful if the projector starts showing my presentation. Thank you. I'll try to speed through some of the things that Jeffery already went over and just gonna focus on the things that he did not. So the parcels were mentioned. Project team, Dee Coyle is the applicant's representative here, project manager. Architect for the project is Steven Heller. Chris Hart & Partners are planning consultant. Civil engineer is RT Tanaka Engineering. Kirk Tanaka is here as well, and landscape architect, Russell Gushi.

To reiterate, this will be the third time the Planning Commission reviews this project. The first time the Draft EA was reviewed on January 14, 2015[sic] and the Planning Commission accepted the Final EA with a recommendation for FONSI on January 27, 2015.

This is an overview of the site plan. Parcel 044 is back here, Parcel 036 is the existing Plantation Inn Hotel in the center, Parcel 038 is the former Trilogy office. Lahainaluna Road, Wainee Street, Panaewa, Luakini. The Plantation Inn also owns an offsite parking lot at this location here.

These are some details of the project. The State Land Use Designation for all three parcels are Urban. Community Plan Designation for 036 and 044 is Hotel. Parcel 038 is Business. Zoning for 036 and 044 are Hotel, and Zoning for Parcel 038 is B-2 Community Business.

This shows the Historic Districts 1 and 2, 1 is on this side, here 2. Just indicating that the project is in the National Historic Landmark District but outside of the County Historic Districts.

The existing hotel a two-story, 19 guest rooms, Gerard's Restaurant. There's also the 11-stall parking lot offsite that was mentioned. The additional parcels that have been acquired are the Ishikawa-Agena residence that was later the Trilogy office. It serves as a nursery and the former Agenda residence serves as storage. I should at this time...I'll just bring up that the Plantation Inn has been trying to acquire the Ideoka parcel for approximately 15 years now and recently made progress and it looks like they're going to be able to acquire this parcel. Obviously if we had known that was gonna prevail when we submitted this application it would have been much more convenient for us. However, they're very happy to be able to obtain this parcel. They're also looking into this parcel here, but have no firm forecast of obtaining it at this time.

So proceeding along, this is a engineering, topographic map of the parcels. These are some photographs from Lahainaluna Road looking at Gerard's interior of the reception area, Gerard's Restaurant. Some courtyard photos looking over the pool. The view from Panaewa Street on the

south side of the property. Some character photographs of the lanais. Existing offsite parking lot. These are head on shots. This is the former Trilogy office. This is immediately east of the project site on the Lahainaluna Road. It's within the project site, but immediately east of the existing Plantation Inn Hotel. This is the former Agena residence. This was a former barbershop. This is on Panaewa looking north. This is the Plantation Inn here.

So originally Phase 1 was built in 1987. It consists of seven rooms and Gerard's Restaurant. Phase 2 was built in 1990. It's building number 2 with 12 rooms, a courtyard, pool and spa, parking and landscape improvements. Phase 3, the proposed 14 guestrooms, building 1 alterations, courtyard and landscape, infrastructure and utility improvements which we're reviewing today. An iteration of this project was approved in 2005. Because of what was going on with the economy, the Plantation Inn decided to not proceed with it, the SMA Major Permit lapsed. In the meantime, the Trilogy parcel was able to be obtained. The purpose of obtaining this parcel was to try and reduce the density and create more open site on the site so the project...the Trilogy parcel was incorporated into the design. This is the original approved site plan. You can see the same level of density on less parcels. This was interim approved site plan, and the proposed plan incorporates the Trilogy parcel to try and create a better sense of place for the site.

So the work scope as discussed, there will be the demolition of the existing residences on Parcels 038 and 044. As discussed by our Staff Planner, we will go to the Cultural Resource Commission for review and approval of those demolition permits following this decision by the Planning Commission. The parcels will be consolidated and resubdivided and road widening lots will be dedicated to the County. The two-story building consisting of 14 units will be constructed and an 11-stall parking lot will be constructed on the trilogy lot with a 9-stall parking lot on the Agena lot.

Additional improvements include new landscaping and irrigation, utility line connections, road widening. There's gonna be the demolition and reorientation of the existing pool and spa to reflect the development of new hotel structure as well as interior improvements.

This is the proposed site plan. As noted, the Trilogy parcel's been added to allow parking to be placed in this location to free up space within the site. The pool courtyard is gonna be reoriented to reflect...it's currently offset slightly. And so it will basically be reoriented to fit more correctly within the proposed buildings.

These are elevations of the proposed buildings. This is existing Phase 2 elevations. This is the landscape site plan for the project prepared by Russell Gushi. I should restate Steven Heller is the architect for the project. The plant material that's gonna be included is Pink Tecoma, Hong Kong Orchids, Areca Palms, Luolu Palms, Ohai Alii, Natal Plum, Blue Plumbago, Seashore Paspallum. As far as water conservation measures drip irrigation, rainfall sensor devices are gonna be installed. Low flow emitters and scheduled watering is gonna be implemented.

These are some of the civil improvements that are gonna happen with the project. A new one-way in access will be added on Lahainaluna Road. This is the location of the existing Trilogy parcel. Road widening lot is gonna be contributed here. Two-way access to parking on the Agena lot, on Panaewa Street is gonna be added.

The project is a infill development. It's an expansion of an existing use. It's compatible with surrounding developments. No rare or threatened endangered species or flora and fauna were identified. No critical wildlife habitat. Best management practices are gonna be implemented throughout construction phase. The project does not lie within a scenic view corridor and does not possess any significant natural features.

New fire hydrants are gonna be installed...one new fire hydrant is gonna be installed along Lahainaluna Road. As stated, there's gonna be drought tolerant plants and water conservation measures implemented in landscape design. And all surface runoff will be retained on site. That concludes the presentation for the project at this time.

Chair Ball: Thank you. At this time, we'll open it up for public testimony.

a) Public Hearing

Chair Ball: Anyone that would like to testify on this?

Mr. Dack: I'd like to make...I'd like to make the Department's analysis...(inaudible-not speaking into a microphone)...

Chair Ball: Not yet. That's after public testimony. Seeing none for public testimony on this item. We will now get the recommendation from Staff.

b) Action

Mr. Dack: I'll first go through the analysis. The propose project is in conformance with the goals, objectives and policies of the State Plan. It's in the State Urban District. The uses are consistent with the Urban designation of the property. It's in keeping with the community plan goals, policies and objectives. It's located within the Maui Island Plan Urban Growth Boundary. It's consistent with the land use map of the West Maui Community Plan. It will be developed in accordance with the zoning standards per the HM Hotel District and B-2 Community Business District. Building heights will be limited to 35 feet, and the property is located within the Special Management Area. It meets the goals and objectives of Chapter 205A of the Hawaii Revised Statutes. The...let's see...with any appropriate mitigations included in the recommended conditions of approval the project meets the SMA guidelines and Section 205A-26 HRS and the County makes required findings in that sections, in that section. Also the proposed development meets the criteria for considering the significance of potential environmental and ecological effects from Section 12-202-12, SMA Rules for the Maui Planning Commission.

After a meeting on March 6, 2014, the Maui County Cultural Resources Commission recommended that the Historic...American Building Survey, HABS Level III reports would be required for the former Trilogy office and the former Agena family, family residence. However, they also expressed concern that through demolition such as were proposed on the two, the two smaller lots that that could affect the National Historic Landmark District designation and place it under some threat. The State Historic Preservation Division requested an Intensive Level Survey for the two buildings. Work on that has been done and it's been included in the Environmental Assessment.

The project will not impact infrastructure and public facilities and services. It's not anticipated to have any significant negative impacts on the community, character, population or the economy. There'll be short-term noise and air quality impacts during the construction phases of the property, but the best management practices will be incorporated as Mr. Hart said. The proposed development is not anticipated to result in significant environmental effects. It is not anticipated to produce significant adverse impact on visual character of the site or its immediate environs. The project is a infill development, it's compatible with existing land uses and activities in the surrounding area, and is not anticipated to result in any adverse impacts to the environment or the surrounding uses, land uses in the Lahaina area. Do you have any questions on the analysis before I move to the recommendation?

Chair Ball: Continue.

Mr. Dack: Okay, thank you. So with the incorporation of recommended conditions of approval, the application complies with the applicable standards of the Special Management Area Use Permit as found in HRS 205A-26 as just mentioned in Section 12-202-11 of the SMA Rules for the Maui Planning Commission. The County Planning Department recommends approval to...approval of the...of five listed standard conditions in the staff report with...and also eight project specific conditions. Just a couple of the standard conditions that we normally have to modify for each item are in this case, we'd suggest recommended construction be initiated by June 30, 2018. And be then completed within five years after the date of initiation.

Relative to the project specific conditions, we recommend Condition 8...Condition 6 that appropriate measures to mitigate short-term impacts of the project relative to dust and soil erosion from wind and water ambient noise levels and traffic disruptions be required.

7. Full compliance with applicable governmental regulations be rendered.
8. Best management practices be implemented to ensure water quality and marine resources are protected.
9. Historic Building Survey, HABS Level III documentation as I just mentioned, be prepared and submitted prior to demolition of structures on Parcels 038 and 044.
10. All work be in compliance with SHPD approved Archaeological Monitoring Plan.
11. SHPD be contacted in the event historic resources are identified during routine construction activities.
12. That the applicant or developer provide interested parties grafts from the Hayden mango tree on site which is proposed to be removed. Provide wood from the common mango tree proposed to be moved from Parcel 038 to be utilized to support Native Hawaiian cultural practices activities and observe Native Hawaiian cultural protocol during the removal of both the common mango and Hayden mango trees.

And last Condition 13, That a copy of the approved NPDES or National Pollutant Discharge Elimination System Permit be filed with the Department prior to approval of the grading permit.

So in consideration of foregoing, the Planning Department recommends the Planning Commission adopt the Planning Department's report and recommendations prepared for this June 23rd meeting as findings of fact, conclusions of law, decision and order, and authorize the Director to transmit the decision and order on behalf of the Commission. Any questions from the Commissioners?

Chair Ball: Thank you. Questions, Commissioners? Commissioner Robinson? Use your mic too, please?

Mr. Robinson: Hi, thank you. I wasn't here during your first two meetings. I got a question about the parking and exactly what the requirements are? So I see you have 25 stalls now is that correct or it is more than that?

Mr. Hart: Yeah, I believe currently total there's...I believe there's a total of 53 currently provided. There's a slide, this was, this was shown previously and it's in the Final EA, but to abbreviate, I moved it out of the presentation. But this figure is in your EA document. It shows the existing parking that's provided on site. And basically the bulk of the parking is provided on a existing gravel lot here which is gonna be absorbed by the redevelopment project and so that gravel lot will no longer exist. So now parking will be provided here, and here, and will continue to be provided offsite.

Mr. Robinson: Okay, bear with me.

Mr. Hart: Sure.

Mr. Robinson: So on Exhibit 1 on the final, this is onsite, and then there's another parking lot offsite?

Mr. Hart: That's right. It's detached. If you...the orientation might be a little bit confusing, but if you look at the inset here, this blue is an offsite parking parcel. And as discussed a moment ago, this Ideoka parcel is white, they're acquiring it now. So there will be a direct relationship between the primary site and the parcel as far as the applicant owning all the land in between. So the parking is provided by accommodation of the plan as proposed on site, as well as the offsite parcel that currently is parking.

Mr. Robinson: But the 24 stalls are not gonna be...are gonna discontinue?

Mr. Hart: They will go away as part of the redevelopment. And so I believe there's approximately 31 approximately that are provided in total under the new plan.

Mr. Robinson: Thirty-one?

Mr. Hart: That would be 20 plus 11.

Mr. Robinson: And what is the requirement? Is there a requirement for how many hotel rooms?

Mr. Hart: Yeah, it's .5 per unit.

Mr. Robinson: Per unit?

Mr. Hart: Yes.

Mr. Robinson: And how about, how about for restaurants?

Mr. Hart: For the restaurant, I could double check through the report to tell you exactly in one second, unless the architect can tell me. I'll bring up Steven Heller, architect, to discuss.

Mr. Steven Heller: Good morning everybody. Steven Heller, the architect. I don't have the specific numbers in front of me. The requirement for restaurant is 1 per 100 square feet of dining and serving plus a minimum of three employee stalls. And so that has been incorporated into the overall calculation of...by calculating the size of the serving area adding it into the hotel room requirement as well.

Mr. Robinson: And so do have that, what that calculation is?

Mr. Heller: I don't know. We should have it in the submittal. I believe the total is 31 and it's broken down. So we have that available.

Mr. Robinson: That's the minimum stalls you have to have for this project?

Mr. Heller: There might have been two excess stalls over the requirement if I'm not mistaken.

Mr. Robinson: So if it's .5 for a hotel room. Is there a requirement for hotel employees?

Mr. Heller: No.

Mr. Robinson: No?

Mr. Heller: Not in the Code.

Mr. Robinson: They have to find parking?

Mr. Heller: Yeah, it's not a requirement of the Code. Just only the restaurant use is the only one that requires the employee parking minimum of three.

Mr. Robinson: Is the two extra stalls that your guys talk about in excess, is that the two stalls that are for check-in or is that not included in those two stalls?

Mr. Heller: No, I don't believe so.

Mr. Robinson: This is the page I'm looking at.

Mr. Heller: All these stalls are included...(inaudible-not speaking into the mic)...

Chair Ball: Hold on. Hold on, let me give you a portable mic and then you can...

Mr. Heller: Okay, sorry. Is this working? Oh yeah, it's great.

Chair Ball: If you wanna go back and...

Mr. Heller: So this is 11, 2 more...4 more over here. Three stalls existing. This is gonna be modified slightly, but these are all existing right now. This is the new 9-stall lot. And then on the corner which is that small inset that has 11 stalls, that's an offsite parking lot. And so that in total gives you entire required parking. And if I'm not mistaken there's two extra stalls.

Mr. Robinson: I read in the recommendation from the Planning Commission about the parking stalls along the street when you guys are gonna widen the street. And then I just saw in the presentation here that you guys will attempt to do that is that...is there a difference between making sure the stalls on the street are still there available or...you know, wording's important so.

Mr. Kirk Tanaka: Good morning, Members of the Maui Planning Commission, Chair Ball. My name is Kirk Tanaka of Tanaka Engineers. I believe what you're referring to is the on-street parking, the existing on-street parking on Lahainaluna Road. We'll try to preserve the on-street parking. It doesn't count towards our required parking count. And it depends upon the final design and the approval from the Department of Public Works. So we'll try to preserve the on-street parking if at all possible during the design. But again, it will be up to the Department of Public Works upon their review of the construction plans.

Chair Ball: Commissioner Robinson?

Mr. Robinson: Thank you. So I'm...I notice there is a driveway next to where the barber shop was. You had the barbershop and then you had another residence that you guys purchased. So is that gonna become a sidewalk and a curb and possibly another street parking stalls or are you guys still using it as a access?

Mr. Tanaka: I think it be more likely that the existing on-street parking on Lahainaluna Road be preserved than that on...excuse Panaewa just because of the width of the existing right-of-ways. And we will, and to the second part of your question, we will extend the curb, gutter and sidewalk pursuant to the requirements of the Building Code and Department of Public Works.

Mr. Robinson: Thank you

Mr. Tanaka: You're welcome.

Mr. Hart: This is Jordan Hart, if I could add? So the total parking count is 36 which is 25 onsite plus 11 offsite for the completed project.

Mr. Robinson: Thank you.

Chair Ball: Any other questions? Commissioner Hedani?

Mr. Hedani: Move to approve as recommended.

Mr. Medeiros: Second.

Chair Ball: Hold on, you have further questions here. Commissioner Robinson?

Mr. Robinson: I just have one more question. And my question is and maybe even Commissioner Hedani can answer when a hotel expands or remodels and adds rooms is there any impact towards because this is close to the shore or flood zone if they have to say, tsunami warnings they have to go to a civil defense area, is there any type of I guess thought about adding that many more people to a certain area where that shelter would be? Where would the hotel move those people? What is their thought in that?

Ms. Dee Coyle: Aloha, and good morning. I'm Dee Coyle. I'm the project manager for this redevelopment project. As it happens right now, whenever we have any kind of emergency what we will do is we will relocate the guests either to Kaanapali Beach Hotel or there is a shelter that is located right up the hill on Lahainaluna Road at I believe it's, it might be one of the schools. So that is one of our main concerns that we, we take care of our employees as well as our guests at Kaanapali Beach Hotel.

Mr. Robinson: Thank you.

Chair Ball: Commissioner Lay?

Mr. Lay: Dee while you're there, good morning. I'd like to commend you and Steven Heller on your design. It's a very...it accents Lahaina in a very positive way, in the old Lahaina fashion. I like that very much

Ms. Coyle: Thank you so much.

Mr. Lay: With a lot of construction going on now days, we have a lot of projects going on, and what we're hoping to see with Maui's economy where we got guys that only can work here, we're hoping that you on your project will use local contractors. And we're hoping that we can get some kind of commitment on that so we can, you know, see that our people are working 'cause they live here and get them out there.

Ms. Coyle: I like that thought, yes, that would be high consideration.

Mr. Lay: Thank you.

Ms. Coyle: Thank you. Any more questions?

Chair Ball: Any more questions? Seeing none, we do have a motion and a second on the floor. As motioned by Hedani and seconded by Medeiros. All in favor of the motion signify by saying, aye?

Commission Members: Aye.

Chair Ball: Any opposed? Motion carried unanimously.

Mr. Hart: Thank you.

It was moved by Mr. Hedani, seconded by Mr. Medeiros, then

**VOTED: To Approve the Special Management Area Use Permit, as Recommended by the Department.
(Assenting - W. Hedani, J. Medeiros, L. Hudson, I. Lay, S. Duvauchelle, K. Robinson, R. Higashi)
(Excused - M. Tsai)**

Chair Ball: Moving on. Item C-2, Clayton?

Mr. Yoshida: The second public hearing item Mr. Chair is a request from Ms. Maria Ines Hernandez Magnani and Mr. Alejandro Goya for a State Land Use Commission Special Use Permit to operate the Mana Aina Vacations B&B, a three-bedroom bed and breakfast home in the State Agricultural District at 585 East Kuiaha Road, TMK: 2-7-013: 056, Haiku, Island of Maui. The Staff Planner is Gina Flammer.

2. MS. MARIA INES HERNANDEZ MAGNANI and MR. ALEJANDRO GOYA requesting a State Land Use Commission Special Use Permit to operate the Mana Aina Vacations B&B, a three (3) bedroom bed and breakfast home in the State Agricultural District at 585 East Kuiaha Road, TMK: 2-7-013: 056, Haiku, Island of Maui. (SUP2 2013/0023) (G. Flammer)

Ms. Gina Flammer: Good morning, Commission Members. We have a State Land Use Special Use Permit today for a bed and breakfast in Haiku. I'm just gonna go right into the Power Point and give you a summary of the project with that.

Okay, so many of these are exhibits in your report. This is just the map that shows you where in Haiku. We're looking at 585 East Kuiaha Road. That shows you a little closer here where we are. Kinda deep into Haiku. And then I have also in the staff report an overhead satellite photo just so you can see the kinda the lay of the land. See how much vegetation is there. This is a very large lot, it's a little over 11 acres. And there's the site plan. I colored in green kind of what the farm plan is and where the agriculture is. You can see the oval showing where the three...it's one building but it's kinda broken up into three pods. Each is a bedroom suite. And then you can see the area that is considered the project area that's right there, the rectangle that's outlined in red and that's Exhibit 4 in your report.

And then the farm plan's also in there. I was hoping you could read it a little bit better or I would have turned it for you, but you can see the plants in the staff report. And the farm plan was approved. We did have a Zoning Inspector go out there and verify that everything was there. I also did a site visit to the property and these are my pictures that I took. It shows you the entrance as you come in. So you can see this is an area with a lot of rain. So you do have a lot of vegetation. The applicants have planted a lot of the trees. Hard to take a picture there was so much...so many trees right there, but this shows you what the structure looks like. And then you can see the far right with where the garage is. And then we have the first bedroom suite. It's really pretty simple, you can see the foyer that connects the different rooms right through there. And then out to the back. And then you can see that middle area that connects them. The middle suite currently one of the applicants lives in the middle suite. The application is for all three bedrooms. In the future they're thinking the son may move out and they figured while you're doing the application you might as well put in for all three, but he currently does live there. That middle area is the only one that does have a kitchen. And then again, you can see the foyer on the other side. The second one that leads you into the third. There's the second one. And then it leads you down into the third bedroom area.

And that just shows you the view of the house from the back where there's an area where the guests can sit. And then there's quite a large, nice, flat parking area. Plenty of space for guests. It shows you the applicant's home. I think it's 980 square feet that they built themselves. This isn't for guest use. And then I just have pictures of all the different fruit and nut trees. Again, they're in your report, but I just wanted you to see it's really hard to capture the quantity of just quite how much is on the property. The family does take care of the agriculture themselves and they intend to use the fruit for the bed and breakfast operation. And you can see most of the trees are mature. They've been there for quite some time. That's coffee that's right there. They have a wide variety. You can see the citrus. More citrus, mango, there's also avocado. I think this is a mac nut grove that's through here. That's the applicant's home right there at the back of it. And then there's banana also on the property, quite a bit. I didn't want to bore you with too many pictures but there's a lot of banana.

So I hope that just gives you a sense of just how big and how much agriculture is on the property. The applicant did write a description of the neighborhood in the report which I included where they explain that they do feel that they're compatible with the existing character, agricultural character of their neighborhood. They do have a natural barrier which you can see from the overhead picture. It's about six acres wide, and there's abundant vegetation throughout the property and along all the boundaries. It's really impossible to see the neighborhood properties.

The State Office of Planning for this application they did not have any comments. I wanted to show you the properties within 500 feet that all received notice. We did have one protest. It came in from the property owners of No. 31 that's circled down there. You do have a copy of that. I put it in front of you this morning. The applicants did respond. It's interesting to note that the owners don't live there. They live down on Hana Highway kind of across from the cemetery over there. But they do own the parcel right there.

And then since I'm up here and we have the Power Point I just wanted to give you our analysis and recommendation which basically is that we did not find the use contrary to the agricultural nature

of the property. We don't see any adverse effects towards the neighboring properties from this use. There's no unreasonable or substantial burden to County infrastructure. It's very similar to a long term use in terms of that. There have been unusual conditions since the 1960's, tourism has taken a much larger role in our economy since then. And we did not find that the use would affect the agriculture on the property and because of that we are recommending approval. Thank you.

Chair Ball: Thank you. Questions from the Commission? Oh, sorry, we'll open it up for public testimony at this time.

a) Public Hearing

Chair Ball: And anyone who would like to testify on this agenda item may do so at this time. You have three minutes. Seeing none, we shall move onto the questions from...unless you had more recommendation than what you have said?

b) Action

Ms. Flammer: All I have is that we're recommending approval subject to seven conditions which are in the green. And I always remind you the last one is that the farm plan has to remain implemented throughout...while the permit is still active and we do require proof of that when they come in for a renewal.

Chair Ball: Okay, any questions from the Commission? Commissioner Hedani?

Mr. Hedani: Gina, what is the closest B&B? How far is it located from the proposed?

Ms. Flammer: Yeah, thanks for asking the question. In the report, it's about a mile away. Usually I give you a map, but I couldn't get a picture. There wasn't anything that was close enough, but when I measured with our measure system it showed it to be about a mile.

Mr. Hedani: And in this particular area, what is the maximum number that was allowed, where are we, can you tell us?

Ms. Flammer: The cap is 88. So at B&Bs we're looking at...we have 31 that are permitted right now in Haiku, and we have 33 short-term rentals also, and that cap is also 88.

Chair Ball: Any other questions? Commissioner Duvauchelle?

Ms. Duvauchelle: Gina, how was this originally permitted which is I'm assuming one is the main dwelling and one is an accessory and which was built first?

Ms. Flammer: Sure. The house that's coming in for the bed and breakfast permit was built first. It's considered the main house. The applicant...it was built in 1995. The applicants bought it in 2000, and they build themselves the accessory unit which I showed you which is little over, I think 980 some square feet. Their adult children have lived in the main house that's here for this application on and off over the years. She's got four children. Some of them are married and have

houses and children of their own now. So they have one son that's still there.

Ms. Duvauchelle: Thank you.

Chair Ball: Commissioner Higashi?

Mr. Higashi: Yes Gina, looking at the diagram, Exhibit 7, there's three structures connected by a foyer.

Ms. Flammer: Yes.

Mr. Higashi: And I notice that if in case there's a fire on foyer No. 1, how do the people who rent that particular bedroom on the left escape? It seems like there's only one exit.

Ms. Flammer: No, there's sliding glass doors that are out the back of that.

Mr. Higashi: Outdoor patio is that what it is?

Ms. Flammer: There's an outdoor patio in the back. So there are sliders off of each bedroom that take you right to the back.

Mr. Higashi: Another exit door.

Ms. Flammer: Yeah, there is another...yeah, and it is door, it's not just a window.

Mr. Higashi: Oh, okay.

Ms. Flammer: Yeah, when it was built it would have been required to meet Fire Code. And Fire Code would have them put either a actual door to the outside or have them put a certain size window. In this case, each of the rooms has a slider door to the back.

Mr. Higashi: And each room is approximately, what 300 square feet? It says 1/8 inch per foot.

Ms. Flammer: Yeah, let me take a look. I'm gonna have the applicant Alejandro step up and answer your question.

Mr. Alejandro Goya: ...(inaudible-not speaking into a mic)...600 square feet.

Chair Ball: Can you identify yourself please?

Mr. Goya: I'm Alejandro Goya. I'm Maria Ines son. I'm actually helping with the mostly the landscaping right now and everything, all the trees and just maintaining the landscaping.

Chair Ball: Did you get your answer Commissioner Higashi?

Mr. Higashi: What was the square footage?

Mr. Goya: Six hundred each one.

Mr. Higashi: Per?

Mr. Goya: Per, yeah. There's three bedrooms, each one is 600.

Mr. Higashi: So if you add all three, you're talking about 1,800 square feet?

Mr. Goya: Pretty much, yeah.

Mr. Higashi: According to the requirement is the main house dwelling, and then you have like a ohana or a worker's dwelling.

Mr. Goya: Well, my parents live in one.

Mr. Higashi: No, I'm not talking about your parents, I'm talking about these three dwellings.

Mr. Goya: Yeah.

Mr. Higashi: There's supposed to be, weren't there supposed to be a 1,000 feet maximum on a sub area, workers?

Ms. Flammer: I'm sorry, this is more of a question for the Department. That house that you're looking at is the main house. And it is considered on structure by the County.

Mr. Higashi: These three?

Ms. Flammer: The three, yes.

Mr. Higashi: It's a main house?

Ms. Flammer: It is considered a main house. It's an unusual configuration. But it was permitted legally through the Department of Public Works when it was built in 1995 as a single main house for that property.

Mr. Higashi: So this is not the one that's gonna be rented as a bed and breakfast?

Ms. Flammer: Yes, that is the permit is coming in for that structure and it's considered three bedrooms. It took me a while to wrap my head around it as well 'cause it's very unusual. It's not what you usually see.

Chair Ball: Commissioner Robinson?

Mr. Robinson: Gina, does the Department, I don't see a recommendation that a B&B is the owner has to always be on top of the property and I don't see that as part of the recommendation. I've read-

Ms. Flammer: Yeah, no that's a really good question.

Mr. Robinson: I think one of the sons is gonna be there or something if the parent's leave.

Mr. Goya: ...(inaudible)...

Mr. Robinson: Yeah, but I don't see any recommendation.

Ms. Flammer: Okay so how it works there's two permits that are needed for this property. There's the Bed and Breakfast Permit itself. That permit didn't have any triggers that would cause it to be reviewed by you. There weren't enough neighbor protests. There was only the one. There's not another one within 500 feet and then we have some of the other ones. There weren't any variances for it. So you're only reviewing the State Land Use Special Use Permit what I call the ag permit. So the condition that you're asking about is something that would be attached to the Bed and Breakfast Permit which the Department will write. And I think there's 17 or 20 conditions and that is one of the conditions that the owner has to be on site at all times while the property is rented or they may designate somebody if they need to go away for medical reasons.

Mr. Robinson: Thank you.

Chair Ball: Commissioner Hedani?

Mr. Hedani: Gina, the letter of protest that came in from Thomas Medeiros and Leslie Cunha do you have a copy of page 2?

Ms. Flammer: Is it not on the back? Oh, I ...(inaudible)...I'll read it. It's really short on the back. I'm sorry, the photocopier did doubled-sided. It may be easier if I just read it.

Chair Ball: Go ahead.

Ms. Flammer: It's just a couple of sentences. So if you look at the very end of the first page, it starts...it ends with the width already, and on the second page, limited options for local families and families or persons relocating from the mainland or other islands seeking to rent a place to reside long-term, this only decreases the amount of home options available for them in the area. Short-term renters have no obligation to be a positive commitment to the community. We appreciate your consideration on our protest against the proposed Maui Aina Vacation Bed and Breakfast, Sincerely Tom and Shirley Medeiros and Leslie Medeiros-Cunha.

Mr. Hedani: Thank you.

Chair Ball: Thank you. Further questions? I have a question. You know on your Exhibit 3, how did you come up with that radius? I thought the radius we usually use is a circle and I see that it's not...not for this project but just a general question?

Ms. Flammer: Yeah, it's ...I get asked that sometimes. It's our computer system and what it is, it's the 500-foot boundaries is from the...the radius is from the boundaries of the property. So it's...if

you have perfectly square property, you might have a regular circle, but if you have an oblong, you're gonna get a different shape.

Chair Ball: Makes total sense now, yes. Thank you. Any further questions? Seeing none, do we have a motion? Commissioner Medeiros?

Mr. Medeiros: Move to accept the recommendation.

Chair Ball: Is there a second?

Mr. Hudson: I'll second.

Chair Ball: Moved by Commissioner Medeiros, seconded by Commissioner Hudson. Any discussion? Commissioner Medeiros?

Mr. Medeiros: Yeah, I never did have a problem with bed and breakfasts, you know because you have somebody on the site, the owner or in this case, the son, family, you know. And whenever family is involved, they take care of their property. They got a good plan. I like the vegetation and everything like that. I say go for it.

Chair Ball: Commissioner Lay?

Mr. Lay: Okay, there is some concern about like right now we're one-third the capacity for bed and breakfasts in that area which is, you know, we gotta probably slow down coming up. This house is a good example of a family that's lived there a long time. Kids lived in one house, parents in the other, the kids left, now what do we do with the house? You know, either leave it empty or do we get people to fill in it? And with this availability of the bed and breakfast and with someone on the property to me it's a good thing.

Chair Ball: Commissioner Robinson?

Mr. Robinson: Mr. Director, Clayton, I got a question. Why do we always, why do we go with three-year recommendations instead of one year at the time for approvals?

Mr. Yoshida: Well, I guess typically unless there are major issues, the operation we give them an initial three-year time period for the Special Use Permit, and concurrently we can give up to a maximum three-year time period for the Bed and Breakfast Home Permit. This is different from the Short-Term Rental Home Permit whereby Code we can only give them an initial one-year time period and then upon evaluation as to if there's been complaints filed during the one-year we can give them an additional two-year time extension...two-year time extension for a maximum of three years. But that's just how the Short-Term Rental Home Ordinance differs from the Bed and Breakfast Ordinance. With the Bed and Breakfast Home Ordinance we can give them an initial three years.

Mr. Robinson: But is there a reason why...is there fees every time they apply? Is it a...or is just another check saying we reapply and if it's all good, you guys extend it. I'm trying to grasp why one

is one-year and one is three-years.

Mr. Yoshida: Well, I guess it was a different Council...I mean, two different Councils that approved the two different ordinances. But you know, Bed and Breakfast Home Ordinance probably was approved in late 2008, early 2009, and so you know, it gave the initial three years figuring that if they only gave one year probably in about eight months they're coming in again for a time extension and you know, the Commission will have to deal with those. Then in...given the experience of the Bed and Breakfast Home Permit then the Council in 2012 or 2011-2012 dealt with the Short-Term Rental Home and in that one, Gina, probably can correct me because she was at those six months of Council meetings when they dealt with it. And it went to the Commission. I think they you know, because the operator does not live on the property, a lot of times in a short-term rental home whereas they are required to live on the property for the bed and breakfast home. They would give them an initial one-year and if there were no complaints for the short-term rental, and then two. So we're just trying to comply with the Bed and Breakfast Ordinance.

Mr. Robinson: Thank you.

Chair Ball: Commissioner Medeiros?

Mr. Medeiros: Yeah, the three-year and the one-year I remember when it went through the Council and the reason that I liked it is one is a home-based business, and the other one is just a business. We need to monitor the business. The home-based businesses, it's their home. Allow them some space to take care of their home.

Chair Ball: Any other questions or comments? Commissioner Hedani?

Mr. Hedani: I was watching the Council Planning Committee deliberations that they had on an ordinance that related to bed and breakfasts and vacation rentals and there was a lot of testimony that was made from people primarily from the Maui Meadows area. And the public was saying in that case by ordinance they got it restricted to five TVRs in the Maui Meadows area, but because there's no cap on the B&Bs there's now 18 B&Bs operating in the Maui Meadows area. And the feeling of the community itself was that because it's unlimited except for the cap for all of Kihei which is like 100 or 100, 200, they felt that it was degrading the neighborhood. And that was the general feeling I think of the neighbors and the homeowners in that area. And I have kind of come to that same feeling. From my perspective, I think the B&B as well as the TVR caps are too high. So in my head, I've cut the cap in half. When we pass the 50 percent threshold for any given area, I intend to vote no on everything that comes in after that. And that's my way of creating my own cap. In this particular case because the property is so large and because the insulation from the neighbors is so great by distance primarily from the roadways and whatnot, I don't take an objection to this particular application.

Chair Ball: Any other questions? Seeing none, if we can get the Program Administrator to state the motion?

Mr. Yoshida: The motion is to approve the request subject to the conditions as recommended by the Department.

Chair Ball: All in favor, raise your hand? Any opposed? Motion carried unanimously.

It was moved by Mr. Medeiros, seconded by Mr. Hudson, then

**VOTED: To Approve the Land Use Commission Special Use Permit, as Recommended by the Department.
(Assenting - J. Medeiros, L. Hudson, I. Lay, S. Duvauchelle, W. Hedani
K. Robinson, R. Higashi)
(Excused - M. Tsai)**

Chair Ball: You know what, we'll take a five-minute recess.

A recess was called at 10:00 a.m., and the meeting was reconvened at 10:09 a.m.

Chair Ball: Okay, lets call this meeting back to order. Item No. D-1, Clayton?

Mr. Yoshida: Yes, thank you Mr. Chair. Under Unfinished Business, we have the request from Mr. William Spence, Planning Director on behalf of Newport Hospital Corporation for a Phase 2 Project District Approval for the...to approve the preliminary site plan for the proposed West Maui Hospital and Medical Center to be located on approximately 14.99 acres of land on Kakaalaneo Drive mauka of the Honoapiilani Highway at TMK: 4-4-002:052 (por.), Kaanapali, Island of Maui. Staff Planner is Gina Flammer.

The proposed full-service, acute hospital and medical center, medical care center will have the following facilities and service areas: hospital, assisted living facilities, skilled nursing facility, medical offices and rehabilitation center.

The public hearing on this matter, item was conducted on November 19, 2014 at the West Maui Senior Center. So your Staff Planner is Gina Flammer.

D. UNFINISHED BUSINESS

- 1. MR. WILLIAM SPENCE, Planning Director, on behalf of the NEWPORT HOSPITAL CORPORATION requesting a Phase 2 Project District Approval to approve the preliminary site plan for the proposed West Maui Hospital and Medical Center to be located on approximately 14.99 acres of land on Kakaalaneo Drive mauka of Honoapiilani Highway at TMK: 4-4-002: 052 (por.), Kaanapali, Island of Maui. (PH2 2014/0002) (G. Flammer) (Public hearing conducted on November 19, 2014)**

The proposed full-service, acute care hospital and medical care center will have the following facilities and service areas: hospital, assisted living facility, skilled nursing facility, medical offices, and rehabilitation center.

The Planning Director initiated this and the associated land use changes.

Ms. Gina Flammer: Okay, good morning Commission.

Chair Ball: Morning.

Ms. Flammer: We're here today for a pretty simple task. I did wanna remind you we did all the heavy work at the beginning. So for the two new Commissioners I did give you copies of the original report. Feel free to ask any questions. What that first...those initial actions were, those land use entitlements were to change the State designation, the Urban to Urban, change the zoning and then also, we did some community plan language was added into there so we could have some medical uses.

When they changed the zoning to the West Maui Project District Area 3, they adopted a Project District Ordinance, and that ordinance described what the building heights would be, what the setbacks would look at, kinda the basic standards that you would find in zoning. What we're here today with the Phase 2 is just to take a look at that preliminary site plan and make sure that it conforms to that. This is a little unusual. Usually you have a project district that's established and then years later you have the different buildings that come in and then you compare those to what was originally granted.

In this case, everything came in together. It's also only the hospital parcel that's receiving this designation so that ordinance only applies this. There were really no significant changes at all to the site plan that you saw back in November, but I did include the same one. I think it was updated for you to see in the addendum report, and I'm gonna turn it over to our consultant, Bryan Esmeralda. Tessa Munekiyo is gonna give you a Power Point.

Ms. Tessa Munekiyo-Ng: Good morning, Chair Ball—

Chair Ball: Morning.

Ms. Munekiyo-Ng: —Planning Commission Members. My name's Tessa Munekiyo-Ng of Munekiyo Hiraga. Here with me this morning is Bryan Esmeralda and we're here on behalf of Newport Hospital Corporation to present to you the Phase 2 Project District application for the West Maui Hospital and Medical Center. I'll now turn it over to Bryan who's gonna give a brief Power Point presentation.

Mr. Bryan Esmeralda: Good morning, Commission and Staff.

Chair Ball: Morning.

Mr. Esmeralda: I'm Bryan Esmeralda of Munekiyo Hiraga. Again, just to restate what Gina and Tessa went over. We're here to present the Project District Phase 2 request for the proposed West Maui Hospital and Medical Center project. Really quickly just to introduce our project team. The developer and project manager is Newport Hospital Corporation. The hospital operator will be Critical Access Healthcare LLC. The operator of the skilled nursing and assisted living facilities will be Mission Health Services, Inc. Architect's ProjX, LLC. The civil and traffic engineers are

Austin Tsutsumi & Associates. Landscape architect Kevin Tanaka. And planning consultants, Munekiyo Hiraga.

Newport Hospital Corporation is proposing the development of the West Maui Hospital Medical Center on an approximately 14.99 acre site along Kakaalaneo Drive in Kaanapali. As Clayton Yoshida read earlier the site will include a 25-bed critical access hospital, a 40-unit assisted living, and 40-bed skilled nursing facility, two, two-story medical office buildings, a 40-bed drug and alcohol rehabilitation facility, and the project involves related onsite and offsite improvements.

The project is being proposed to address a number of issues in West Maui including the growing population of the region including the high number of visitors and employees that are in the region daily. The fact that West Maui has limited health care and no acute healthcare facilities. Also the fact that West Maui has no skilled nursing or assisted living facilities, and the fact that emergency room has always been access issue for West Maui due to its location. As such, the Newport Hospital Corporation has been awarded a Certificate of Need from the State to develop a 25-bed critical access hospital and 40-bed skilled nursing facility in West Maui. Again, in addition to those facilities also planned are a...are two, two-story medical office buildings, the 40-unit assisted living facility and a future drug and alcohol rehab facility. It just noted that the medical office buildings and the assisted living facilities do not require a Certificate of Need.

For the Commissioners that were here...with us in November, we did have a site visit so I know you're all familiar with the site. But the site is located here along Kakaalaneo Drive. Kakaalaneo Drive intersects with Honoapiilani Highway in the vicinity of the Westin KOR Villas. Again, the project site is currently vacant and undeveloped and surrounded by undeveloped lands.

Just to briefly go over the approvals that we received thus far. On November 19, 2014, the Maui Planning Commission held a site visit, public hearing and meeting. There the Commission reviewed the requests for the District Boundary Amendment, Community Plan Amendment, Change in Zoning, and Project District Phase 1 and 2. The Commission provided their unanimous recommendation for approval of all the requests apart from the Project District Phase 2.

On March 19th of this year, the Council Land Use Committee had a site visit and meeting. They also recommended unanimously the approval of the project to the Full Council. On May 26, 2015, the Council unanimously voted to approve the DBA, CPA, CIZ, and Project District Phase 1.

So the project received these approvals, a District Boundary Amendment from Agriculture to Urban, a community plan amendment in the form of some language amendments to allow health and wellness and medical uses within the West Maui Project District 3, change in zoning from R-3 to West Maui Project District 3, and a Project District Phase 1 Approval. Again, just to clarify, Phase 1 is the first in a three-step Project District process. The Phase 1 involves the development of a...an adoption of a project district ordinance which outlines the permitted uses and developments and regulations for the project district. So we're here today to request approval of the Phase 2 which is the second step in the process and involves approval of the preliminary site plan. There is a Project District Phase 3 which is approval of the final site plan and construction drawings, but that is done administratively by the Department of Planning.

As part of the Project District 1, there was design guidelines that were developed for the project and this applicable only to the 14.99-acre site. The design guidelines include such things as a 35-foot building height limit, 36-inch wide building overhangs. The design of the facility was inspired by the plantation vernacular so you'll see that when we go over the renderings of the buildings. Also, the use of local materials to tie the project back to Hawaii. Landscaping for the site will be compliant with the Maui County Planting Plan. Signage and parking will be compliant with the Maui County Code. And the project also uses some healthcare required signage that's required for healthcare licensed buildings.

Again, also the design guidelines took into account sustainability and embraced the three pillars of sustainability including being viable, liveable and fair. Some specific examples of sustainability include the project's location which encourages less fuel consumption particularly by West Maui residents who would normally have to travel to Central Maui for health care. And also the plantation vernacular lends itself to certain efficiencies such as those overhangs which provide shading and cooling at the building entrances, windows, and doors.

So this is a photo of the project site. Again, the site is currently vacant and undeveloped. To the left-hand side here is Kakaalaneo Drive. So this is a view of the site looking from the top makai. This is a view of the site looking mauka. Kakaalaneo Drive here off to the side.

So as Gina mentioned there weren't very many changes to the site plan from the Commission meeting in November. This is Kakaalaneo Drive here. The project site will be accessed through three entrances, two at the bottom here and here, and one entrance at the top. It's noted that this first entrance here is designated for ambulance use. So as you come up Kakaalaneo Drive, the first building you'll see is the hospital. It's at the bottom corner of the site. The skilled nursing and assisted living facilities are off to the left. Medical office buildings behind the hospital, and the rehabilitation facility at the top corner. There will be a circulation...vehicle circulation throughout the site and parking located all around.

These are the conceptual renderings of the hospital. Again, the design was inspired by the plantation vernacular which you can see in the plank siding and also the colors of the buildings. The hospital will be a one-story facility as will the assisted living and skilled nursing facility, they'll also be one-story. The design is...the building materials are used throughout all the buildings on the site. And this is the assisted living and skilled nursing facilities. This is a rendering of the medical office building. These will be the only two buildings on the site that will be two-story and still compliant with the 35-foot height limit that was established. This is the rehabilitation facility.

This is kind of a perspective drawing of the site. The building in the foreground here is the assisted living and skilled nursing facilities, hospital off to the side, medical office buildings, and the rehabilitation facility towards the upper corner of the site. This is a perspective drawing driving into the hospital. The hospital entrance is located here. The ambulance entrance just off to the side, and in the background you can see the assisted living facility.

This is a conceptual landscape plan. You see that the parking areas feature shade trees to provide shade for the parking. Large shade trees and grass lawns in between the buildings. Palm trees will be used to mark the facility entrances.

And the applicant is requesting that the Maui Planning Commission approve the Project District Phase 2 request for the West Maui Hospital Medical Center project. Thank you for your time. I'm gonna turn it over to Tessa now to answer any questions that you may have.

Ms. Munekiyo-Ng: Thank you, Bryan. I also wanted to note here with us today on behalf of Newport Hospital Corporation we have Brian Hoyle and we have the civil and traffic engineers, Austin Tsutsumi & Associates if you have any questions for them as well.

Chair Ball: Okay, we'll hold those questions and we'll get some public testimony. If anyone would like to testify at this time, you may do so, you have three minutes.

The following testimony was received at the beginning of the meeting:

Mr. Joe Pluta: Thank you. Good morning.

Chair Ball: Good morning.

Mr. Pluta: My name is Joe Pluta. I'm here representing the West Maui Improvement Foundation, the West Maui Taxpayers Association, and myself, and the West Maui Hospital Medical Center Foundation. And it's just real quick. I'm also on the Kaanapali 2020 Community Planning meeting, a charter member. I started 17 years ago, 18 years ago on that. Where this West Maui Hospital was envisioned by us at a different location. But it's ultimately coming around to this location and Howard Hanzawa here is present, he's also a member of us at Kaanapali 2020 Planning Committee Development and strong supporter. We worked together with him very well and closely. And we are just so grateful to the Planning Director and to this Planning Commission and for moving this along and this agenda item. This West Maui Hospital has been just something I've personally worked on for 17 years. I know a lot of my friends who have worked on it are no longer with us because they didn't make it to our one hospital on this side of island including our dear friend, A.J. Wriston III which many some of you knew, who president of Kaanapali Development Company. He unfortunately, took him over two hours to get to Maui Memorial from Napili and he did not survive the trip. It's the time to put a end to all that to allow this new hospital to be put in place, save lives and we're gonna thank you very much for expediting and doing everything you can to make it happen. Happy to answer any questions if anybody's got them.

Chair Ball: Thank you. Any questions for the testifier? Seeing none, thank you.

Mr. Pluta: Thank you very much.

This concludes the testimony received at the beginning of the meeting.

Mr. Bruce U`u: Aloha, Council Chair, I mean, Council Chair, Planning Chair.

Chair Ball: Aloha.

Mr. U`u: Planning Commissioners, my name is Bruce U`u.

Chair Ball: Aloha.

Mr. U`u: Sorry, but you got that look. I'm with the Hawaii Regional Council of Carpenters standing here before you and giving testimony in support of this project. I was present at the March 19, 2015 Land Use Committee meeting which were held in Lahaina and it had the continuous support and testimony given at the meeting was pretty overwhelming in support and in favor of this project. And with the new hotels upcoming like KOR that is being built now and the project you guys just approved earlier, I think it's well needed and even more so long overdue. So hopefully they get the support for this project and it supports the West Maui side that is, like I said, lacking some facilities in this area. Thank you.

Chair Ball: Any questions for Bruce. Seeing none, thank you.

Mr. U`u: Aloha.

Chair Ball: Aloha. Let's see can we get the recommendation from the Staff, Planner Gina Flammer.

Ms. Flammer: The recommendation from the Department is for approval of the Phase 2, but I do wanna let you know that there's a lot of conditions in here that are in the...starting on Page 3 of the report. I'm not gonna go through them, but they came from the different agency comments and each condition I do try to list out where it came from. And then we do kind of through the conditions figure out what's due at the preliminary compliance report and what's due at the final just to keep the Department and everybody organized and on the same page.

And so the Department in consideration of the foregoing, the 22 conditions, recommends that the Maui Planning Commission adopt the Department's report, addendum report or the report prepared for the November 19, 2014 meeting as well as the addendum report and recommendation for today's meeting, June 23, 2015, and authorize the Director to transmit said findings of fact, conclusion of law, decision and order on behalf of the Planning Commission.

Chair Ball: Thank you. Questions from the Commission? Commissioner Lay?

Mr. Lay: I have a question on your design. So looking at your plans, I know that you don't have a helipad and I was wondering if the reason because of the airport facility being next to it or do you have plans for that in the future? You know being a medical emergencies place, you know, it might become handy.

Mr. Brian Hoyle: I'm Brian Hoyle, Newport Hospital Corporation. Pleasure to see all of you. Some I've seen many times. In answer to your question, we are close enough we feel to the West Maui Airport that we have actually access as needed. In the event of a true real emergency of hurricane or something of a drastic nature we have obviously available property in our vicinity that we could make temporary conditions. We don't have at this point, a permanent helipad location. We do have one as I say, available at the airport, also I think Lahaina Civic Center which is maybe a mile, mile and a half from our site is a designated heliport site by the Civic Center there. So we feel that mitigates the issue. And in the event, as I say, if a major situation we could accommodate.

Mr. Lay: Thank you.

Chair Ball: Commissioner Higashi?

Mr. Higashi: Yes, I have a question—

Mr. Doyle: Yes sir?

Mr. Higashi: —two actually. One is looking at your diagram, I notice that your rehab facility is not...closer to the hospital. Is there a reason why the location wise is?

Mr. Doyle: Actually a very good reason. When you see rehab facility, our definition of it here, this is a drug and alcohol rehabilitation facility. So separation is actually desirable from a treatment perspective both from the hospital and from the patients and staff. However, there will certainly be a working relationship between the two facilities. Those of you who have had the misfortune or family members who have gone through a rehab process having a proximity to the hospital is good and that there is a detoxification procedure for any rehab program that is drug and alcohol. And so the patient would be at the hospital for a two to three-day stay potentially and then relocated to the rehabilitation facility for drug and alcohol rehab. So in that sense, that's the reason why it's off to a side, but in the event of a medical emergency it's a really beneficial thing to have access to healthcare facilities in the event someone undergoing rehab needs that.

Mr. Higashi: So pursuing that, if somebody has lets say physical rehabilitation situation you would have it in the hospital not at the rehab?

Mr. Doyle: That is correct. The term "rehab" that we're using here that you had a very good question, it's drug and alcohol rehabilitation.

Mr. Higashi: Right.

Mr. Doyle: Physical rehabilitation we will have actually two locations. We will have one in the hospital and we will have one in the skilled nursing facility. The concept here, the hospital is an acute care facility, it has a 24-hour emergency room and it will provide services. In the event of a rehabilitation process, we have acute rehab which is the hospital based physical rehabilitation and then for those that require more of a longer term rehabilitation, we actually have two levels of that. One would be the step down skilled nursing facility, subacute rehab we would have in the facility. And then even in the assisted living we would offer a form of lesser intense rehab.

Mr. Higashi: And my second question is, on the recommendation No. 20, where're talking about photo voltaic—

Mr. Doyle: Yes.

Mr. Higashi: —and it says...it doesn't say you're gonna implement, it says, a possibility of looking at implementing. Being that Lahaina is a very hot area and you're talking about electricity and saving on costs, is that something at you are gonna implement or is it still in a phase of possibility?

Mr. Doyle: I can answer that and yes to both concepts. Yes, it is a possibility, and yes, we will implement it. To the extent and what locations we implement, we're now in the design process. We're in the design development process. So we're evaluating all these options. I can tell you in terms of the sustainability and the presentation Brian made, we're looking at anything to enhance the capability and function of this building. In terms of design, we're using louvers and things to bring in fresh air. We're really focusing on a fresh air indoor-outdoor type of environment where possible. Obviously in some acute care setting, you can't have that. But yes, we will be using solar. I can't say specifically what areas, but I think in energy and power generation, creation, energy storage, we will be evaluating and looking at certain roof structures. All of our roof structures and our design will accommodate solar either in totality or in portion. And that's just for the buildings we're talking about right now. The medical office buildings probably would...I would say definitely have some form of solar. And the design of the buildings being two-story and having elevated parapet roof makes it a little easier. The rehab, again, same thing, it will be part of our evaluation design process. My personal preference is even if the costs are equal, I view, and I think most people do, if you can put in solar now, you get a return on your investment right away and long term it's better for the facility. It's better for the environment. And we're clearly very sensitive to that. So I hope that answers your question.

Mr. Higashi: Thank you.

Chair Ball: Commissioner Robinson?

Mr. Doyle: Yes sir?

Mr. Robinson: First of all, thank you for building this. This is great.

Mr. Doyle: Not built yet.

Mr. Robinson: Very near.

Mr. Doyle: We need your help.

Mr. Robinson: Brian, can you help me with terminology of acute care? I'm a simple emergency room guy, emergency beds, so acute care is that same or is it a...is it just certain...

Mr. Doyle: Acute care health care and boy, I don't...if there are a lot of health care experts in the room I apologize because I'll probably mess it up a little bit. I've been in this my whole life, but I can tell you the definition I would use in this project. Acute care facility is anything that requires a surgical intervention and emergency room evaluation or an overnight stay supervised by a nurse and a doctor and that's key because when you look at the other definitions of subacute or skilled nursing. Skill nursing, the facility if you see here it has 24-hour nursing care whereas the hospital would have 24-hour nursing and physician care. That's one key component. The services we provide at this hospital which are critical and I do mean critical, we have a 24-hour emergency room so that anytime the day or night, seven days a week, 365 days a year you all have access to a doctor and full team to evaluate whatever your condition is, and then that team will...we use the term, "triage", they will evaluate, assess and make recommendation for placement or immediate

surgery and interaction in terms of a lifesaving measure to be taken place.

Mr. Robinson: How large is that team?

Mr. Doyle: The numbers will depend upon the time of day and the need. I think in terms of an emergency response there will definitely be a physician, there will definitely be a ER nurse, a specially trained nurse capable of dealing with emergency situation, there'll be radiologists, there'll be...depending upon the need of the patient at the time, but the minimum staff would be radiology, physician, ER doc, I mean a guys who's specialized in training and an ER nurse and assistants and nurse aides and you have a team responding. And I will say this is not a trauma center in the sense that we cannot handle a major crisis intervention. We're a first step intermediary and we will evaluate. And if it becomes a scenario where we can stabilize the patient, but I think Maui Memorial would be more appropriate for a really intensive, invasive procedure which has to be done to save the patient's life. So our role is as a community hospital and that's our designation, critical access hospital. We will be under the Federal statutes and many facilities in Hawaii have critical access hospital beds. The difference between us and those facilities is we are entirely designed from ground up for that function and for that mission to our community. So the benefit of this whole project, you have acute care in the hospital in the areas I've described which provide radiology, laboratory, MRI, CATscan, all the sophisticated testing equipment there. Then once the patient is stabilized from the surgical event or just an event of some crisis they can then move to the skilled nursing level which is the next level down for 24-hour nursing, additional care, additional lower level rehabilitation and then lastly the assisted living facility which is more of a less invasive, less supervised but nevertheless we have access to other components.

Mr. Robinson: Will you have dialysis at your—

Mr. Doyle: We will have dialysis in either a portable function. Again, it's really kind of an as needed situation. But in the event someone needs dialysis, yes we will have it available on site.

Mr. Robinson: You'll have a lot of customers. Thank you.

Mr. Doyle: I hope so. Thank you.

Chair Ball: Any other questions? Seeing no more questions, we will...I will entertain a motion.

Mr. Lay: Motion to approve.

Mr. Medeiros: Second.

Chair Ball: Motion to approve by Commissioner Lay, second by Commissioner Medeiros, all in favor please—

Mr. Hopper: This is with the conditions?

Chair Ball: Corporation Counsel?

Mr. Hopper: I'm sorry. This is with the conditions as recommended by Staff?

Chair Ball: Correct.

Mr. Hopper: Okay.

Chair Ball: All in favor, please raise your right hand and say, aye? Any opposed, same sign?
Motion carried unanimously.

It was moved by Mr. Lay, seconded by Mr. Medeiros, then

**VOTED: To Approve the Phase 2 Project District Approval, as Recommended
by the Department.
(Assenting - I. Lay, J. Medeiros, L. Hudson, W. Hedani, S. Duvauchelle,
K. Robinson, R. Higashi)
(Excused - M. Tsai)**

Chair Ball: All right, moving on.

Mr. Lay: Can't wait to see it.

Ms. Munekiyo-Ng: Thank you very much.

Chair Ball: Okay, Commissioners, Item E, Acceptance of the Action Minutes of May 26, 2015 and June 12, 2015 Meetings.

E. ACCEPTANCE OF THE ACTION MINUTES OF MAY 26, 2015 AND JUNE 12, 2015 MEETINGS.

Mr. Lay: So move.

Mr. Medeiros: Second.

Chair Ball: Moved by Commissioner Lay, and seconded by Commissioner Medeiros. All in favor, please say, aye?

Commission Members: Aye.

Chair Ball: Any opposed? Motion carried unanimously.

It was moved by Mr. Lay, seconded by Mr. Medeiros, then

**VOTED: To Accept the Action Minutes of the May 26, 2015 and June 12, 2015
Meetings.
(Assenting - I. Lay, J. Medeiros, L. Hudson, W. Hedani, S. Duvauchelle,
K. Robinson, R. Higashi)**

(Excused - M. Tsai)

Chair Ball: Item F, Director's Report. Clayton Yoshida.

F. DIRECTOR'S REPORT

- 1. SMA Minor Permit Report (Appendix A)**
- 2. SMA Exemption Report (Appendix B)**

Mr. Yoshida: Mr. Chair, we have circulated our SMA Minor Permit Report, Appendix A, and our SMA Exemption Report as Appendix B.

Chair Ball: Are there any questions for the SMA Minor Report or Exemption Report? Seeing none, Discussion of Future Planning Commission Meeting Agenda.

- 3. Discussion of Future Maui Planning Commission Agendas**
 - a. July 14, 2015 meeting agenda items**

Mr. Yoshida: Yes, Mr. Chair. I have circulate a memo regarding items for the July 14th meeting. We're kind of in a feast or famine situation right now. But say we do graciously from the Department of Public Works be willing to conduct workshops on how they review drainage reports and how they review traffic impact assessment reports before we get into the nitty gritty with a specific project. And we have to...we have a written Decision and Order for your consideration for adoption.

I would say that on the July 28th meeting, you know we have three public hearing items, two of them are for short-term rental home permit applications, one is for a homeless campground in Lahaina makai of the bypass road. And then we also have the Downtown Kihei SMA application coming back to you as Council has approved the Community Plan Amendment and Zoning Change.

So you know, that's kind of the situation that we're at right now. It's either very busy or not that busy.

Mr. Lay: I have a question.

Chair Ball: Commissioner Lay?

Mr. Lay: On a future meeting maybe coming up, I have a question on where malls with public parking all of sudden turn into malls with paid parking and how that process actually works?

Chair Ball: We can put that on the agenda for the next meeting?

Mr. Yoshida: Yeah, we can put it on the July 14th.

Mr. Lay: Thank you.

Chair Ball: Any other questions? Seeing none, our next meeting will be on July 14th, and we'll see you all then. Meeting adjourned.

G. NEXT REGULAR MEETING DATE: July 14, 2015

H. ADJOURNMENT

The meeting was adjourned at approximately 10:39 a.m.

Submitted by,

CAROLYN J. TAKAYAMA-CORDEN
Secretary to Boards and Commissions

RECORD OF ATTENDANCE

Present

Keone Ball, Chair
Sandy Duvauchelle
Wayne Hedani
Richard Higashi
Larry Hudson
Ivan Lay
Jason Medeiros
Keaka Robinson

Excused

Max Tsai, Vice-Chair

Others

Clayton Yoshida, Program Administrator, Current Division, Planning Department
Michael Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel
Rowena Dagdag-Andaya, Deputy Director, Department of Public Works