

MAUI PLANNING COMMISSION

COUNTY OF MAUI

OCTOBER 25, 2016

TRANSCRIPT OF PROCEEDINGS

MR. DAVID SPEE OF PAIA 2020, LLC

Held at the Planning Department Conference Room,
First Floor, Kalana Pakui Building, 250 South High Street,
Maui, Hawaii, on October 25, 2016.

Transcribed by: Tonya McDade, CSR, RPR, CRC
CSR Maui, Inc.
2145 Wells Street, Suite 302
Wailuku, Hawaii 96793
808-244-DEPO (3376)
www.csrmaui.com

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ATTENDANCE

COMMISSION MEMBERS PRESENT:

- Max Tsai, Chair
- Sandra Duvauchelle , Vice Chair
- Doreen Canto, Commissioner
- Lawrence Carnicelli, Commissioner
- Stephen Castro, Commissioner
- Wayne Hedani, Commissioner
- Richard Higashi, Commissioner

Larry Hudson, Commissioner

Keaka Robinson, Commissioner

STAFF PRESENT:

- Ms. Michele McLean, Deputy Director, Department of Planning
- Mr. Clayton Yoshida, Administrator, Department of Planning
- Mr. Kurt Wollenhaupt, Department of Planning
- Ms. Carolyn Takayama-Corden, Secretary, Department of Planning
- Mr. Gary Murai, Deputy Corporation Counsel

OTHERS PRESENT:

Mr. David Spee, Applicant

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4 CHAIR TSAI: (Gavel.) Good morning, everyone.
5 Today is October 25th, 2016. Maui Planning Commission is
6 called to order.

7 At this moment, I would like to introduce the
8 Commissioners who are present. My name is Max Tsai, I'm
9 the Chair. We have our Vice-Chair, Sandra Duvauchelle,
10 welcome. Thank you. We have our -- Commissioner Hedani,
11 Commissioner Castro, Commissioner Higashi, Commissioner
12 Carnicelli.

13 COMMISSIONER CARNICELLI: Good morning, Chair.

14 CHAIR TSAI: Commissioner Hudson.

15 COMMISSIONER HUDSON: Good morning, Chair.

16 CHAIR TSAI: Good morning. And Commissioner
17 Canto.

18 COMMISSIONER CANTO: Good morning.

19 CHAIR TSAI: And, as a courtesy, would you
20 please silence your cell phones? And, also, to keep
21 order, please don't speak out of the order in terms of
22 speaking out of the audience. If you have something to
23 say, you have to be called up on the front podium, in
24 front of the mic. Thank you.

25 At this point, I'm gonna open the floor for

1 public testimony. This is for people who cannot be around
2 'til the action item shows up. You can either testify now
3 or you can wait until the item comes up. So I'm gonna
4 call your name out, I have a list, please let me know
5 either you wanna testify now or you wanna wait. I have
6 Lance Holter.

7 MR. HOLTER: I'll wait.

8 CHAIR TSAI: Klaus Simmer.

9 MR. SIMMER: I'll testify now.

10 CHAIR TSAI: Okay. Please come forward,
11 identify yourself, you have three minutes.

12 MR. SIMMER: My name is Klaus Simmer, I live
13 Upcountry. And I own a small business in Paia, Simmer
14 Styles, we've been there since 1996. I also work as a
15 realtor with Coldwell Banker in Paia.

16 And I just wanted to say that --

17 COMMISSIONER CASTRO: Sir, could you talk into
18 the mic?

19 MR. SIMMER: Test test. Test. It's not on.
20 Test. Test. Test.

21 COMMISSIONER CANTO: And, Chair, what item is he
22 on?

23 CHAIR TSAI: And, Klaus, could you also tell us
24 which item you're testifying against?

25 MR. SIMMER: Test.

1 (Feedback.)

2 MR. SIMMER: I can hear you. All right.

3 Everybody hear me? All right. Thank you.

4 I'm testifying in regards to the Paia Courtyard
5 development.

6 And I just wanted to say, as a 20-year-plus Paia
7 merchant with Simmer Style, it's become imminently clear
8 to me that we desperately need more parking as well as
9 more retail space.

10 Vacancies with workable lease rates are,
11 basically, nonexistent. Spaces becoming available are
12 generally re-leased prior to going on the open market if
13 their lease rates are even semi-competitive. Lease rates
14 are at an all time high and continually being pushed
15 upward by the landlords simply because they can.

16 This new development would make it viable for
17 businesses that have been pushed out of Paia, businesses
18 like a pharmacy, laundromat, dry cleaners, doctors,
19 general local-focused, utility businesses.

20 Also, as a realtor with Coldwell Banker in Paia,
21 I've been approached by a number of potential clients
22 about possible retail space for their ventures. And
23 there's nothing really there for them to look at.

24 And, finally, as a longtime Maui resident, since
25 1980, my wife and I have raised our two children in Haiku,

1 we then built a larger home in Pukalani as they grew
2 older. And now they're in college and -- and graduated
3 from college. And we're looking forwards towards
4 downsizing. For us, the possibility of living in this new
5 development, the ability to walk to work, to walk to shop,
6 to walk to dine, not just in this new development, but
7 everywhere in Paia, is very appealing.

8 And a move like that would also open up the home
9 that we currently live in to another growing family.

10 Thank you.

11 CHAIR TSAI: Thank you. Questions from the
12 Commission? Thanks. Bill Batham.

13 MR. BATHAM: Can I speak now?

14 CHAIR TSAI: Sure, of course. Please come up.
15 Identify yourself, you have three minutes.

16 MR. BATHAM: Good morning, everyone. My name is
17 Bill Batham. My wife and I started a restaurant business
18 in Paia in the year 2000. It's still going strong. But
19 I'd just like to say we're very much in favor of this Paia
20 Courtyard Project. We think it'll be very good for the
21 general health and economic success of Paia.

22 Just as Klaus Simmer just mentioned, we, too,
23 are looking for other commercial space in Paia. Our
24 daughter just moved back to the island after going to
25 college, she wants to start a business in Paia, but the

1 rates are so high. So the going rates of what's available
2 is \$10 a square foot, which is -- there's just no point in
3 starting a business if you're gonna be paying that as a
4 starting rent. So with an increased supply of commercial
5 space in Paia, there will be a downward pressure on the
6 rents, which is gonna be great for everyone, and will make
7 Paia more vibrant -- a more vibrant town in the future.

8 So we support Paia Courtyard. Thank you.

9 CHAIR TSAI: Okay. Kathy Ross.

10 MS. ROSS: Yes, I'd like to speak. My name --
11 my name is Kathy Ross. And I've been a resident of Maui
12 for 32 years now. And I've always -- I would not say
13 always, about 25 of those years I've lived close to Paia.
14 I've raised my son. He's off to college. And I'm getting
15 older. And I'm in support of the Paia Courtyard both for
16 the retail and the rent, but, also, for the parking and
17 for the senior living. Because I think there are not very
18 many developers on the island who are providing that kind
19 of a product. And there are many of us baby boomers who
20 are looking to scale down and we need smaller places. And
21 being able to walk to town would take a lot of cars off
22 the road. And I think it's a positive thing for our
23 community in Paia.

24 Thanks.

25 CHAIR TSAI: Thank you. Margit Tolman.

1 MS. TOLMAN: Good morning, everybody. My name
2 is Margit Tolman. I'm a business owner in Paia town for
3 more than 20 years.

4 And I'm so super excited about this project.
5 And it's one of the best I have ever seen on the island of
6 Maui. And the best is it's for seniors. It's for people
7 who downsize and want to be in a safe environment and
8 walking to town, walking in the morning to the yoga store
9 and doing their exercise, getting their delicious salad at
10 Mana Food, and walking to the beach. Paia is connected
11 now to the beach. What a wonderful community. And it
12 will create a walkable community, which is quite healthy.

13 In the afternoon, I can see the seniors sitting
14 outside, playing cards, chess, or playing ukulele, and
15 just sharing their life stories. We need this community.

16 I grew up in a community where we could walk as
17 a kid. We had elderlies, we had kids, parents. And it
18 was just a very great experience growing up like this,
19 walking to a bakery or to the butcher, and having that
20 opportunity, not depending always on a car.

21 Second really major point is parking in Paia.
22 The traffic jam we have is horrible. I see it every day.
23 People drive into a parking lot, (inaudible) 20 times,
24 getting stuck on the road because the first person cannot
25 move forward, and the traffic stops, every single day.

1 This project will provide more marking. And that is a
2 really, really big need in Paia town. And probably will
3 have an effect on the traffic flow.

4 And those citizen who lives there, they might
5 not even need a car, they can take a bus to town, but
6 everything is in town. And, hopefully, it will draw back
7 businesses we lost; a pharmacy, a doctor's office, a
8 laundromat. We had all these businesses in town, but the
9 rental rate, I agree, are very high. More competition on
10 this market would -- would help the community.

11 So I hope for your cooperation and support for
12 this project. Thank you very much for listening.

13 CHAIR TSAI: Thank you. Lisa Starr.

14 MS. STARR: Good morning, Chair, Commissioners,
15 Staff. I am Lisa Starr. And, today, I'm here just to
16 read the comments from the Maui Dharma Center. I'm a
17 board member for the Dharma Center.

18 The proposed Paia Courtyard Project is located
19 directly across the street, on Baldwin Avenue, from the
20 Maui Dharma Center. I'm a board member here to present
21 the following comments on behalf of the Maui Dharma
22 Center.

23 The project applicant, Mr. David Spee, has been
24 a generous and respected friend of the Maui Dharma Center
25 and of the great town of Paia for many years. He is an

1 intelligent and creative visionary, as his Paia Courtyard
2 Project clearly affirms.

3 We have reviewed the Paia Courtyard proposed
4 project, our comments are as follows:

5 We're supportive and enthusiastic about the
6 senior housing, it fulfills a growing need in the Paia
7 area and the plans look like they fit Paia town. 309
8 proposed parking stalls are, of course, a very welcomed
9 addition to the drastic parking limitations in Paia town.

10 We are pleased that Mr. Spee's plans represent
11 the intention to encourage merchants with goods and
12 services for local clientele. This could certainly be a
13 benefit to the Paia community. Paia town businesses have
14 become very visitor-oriented over the years.

15 Based on the plans sent to us by Mr. Spee, we do
16 not have the expertise to understand the true scale of the
17 commercial project. That being said, it certainly has the
18 appearance of -- appearance of being an enormous
19 commercial project for a small plantation town like Paia
20 town.

21 We question if the construction of all these
22 commercial buildings is an appropriate fit for Paia town
23 now. We feel commercial growth should be paced to fit the
24 community as a whole.

25 Maui Dharma Center is located on Baldwin Avenue,

1 nearly at the central core of Paia. We are directly
2 impacted by the dramatic increase and problems with the
3 traffic congestion. A large-scale commercial project
4 would likely exacerbate the existing traffic problems on
5 Baldwin Avenue and Paia town.

6 So I -- I guess, in summary, in most part, we
7 are supportive of the project and we look forward to
8 seeing more details about the scale and the scheduling,
9 the phasing of the actual installation of the entire
10 project. Thank you.

11 CHAIR TSAI: Thank you. Lisa.

12 MS. STARR: Yes.

13 CHAIR TSAI: We have a question.

14 MS. STARR: Yes.

15 CHAIR TSAI: Commissioner Carnicelli.

16 COMMISSIONER CARNICELLI: Lisa, I'm really glad
17 that you're here because, when I was reading through this,
18 you guys were the exact people that I was thinking about
19 because you are directly across the street.

20 MS. STARR: Yes.

21 COMMISSIONER CARNICELLI: So, just for clarity,
22 you're -- because it seems to be like you guys are saying
23 it's too big.

24 MS. STARR: It -- it -- we -- well, I think that
25 we have to qualify that we don't really -- we can't really

1 tell as it's -- all we've seen is images in email. And
2 images on the email look really -- we can't really -- as a
3 board, when we looked at it, that was the remaining
4 question. It seemed as if the scale of the project, not
5 just in the size of the buildings themselves, because
6 now -- let me qualify as well that the Dharma Center takes
7 up -- it's a huge lot. And we have a lot of parts to --
8 to our property. And our frontage is entirely facing the
9 frontage of the project.

10 COMMISSIONER CARNICELLI: Correct.

11 MS. STARR: And right now, it's a field -- it's
12 a berm and a field. And it's lovely. We have views to
13 the West Maui and that's nice. It's very peaceful for our
14 church grounds. Clearly, the buildings will be -- will
15 dwarf the -- it appears, dwarf that section of Paia
16 because it's -- it's very low -- low profile. The highest
17 thing is our steeple, which is 28 feet. In other words,
18 it's small low buildings. So, yeah, it's a concern.
19 The -- the scale of the buildings, which we honestly can't
20 tell, and want to know more about, and the -- the
21 volume -- the volume of actual businesses. And 41,000
22 square feet of retail and offices, or whatever combination
23 it is, seems like a lot to bring in all at once.

24 COMMISSIONER CARNICELLI: All right. Thank you.
25 Thank you, Chair.

1 CHAIR TSAI: Thank you. Hugh Starr.

2 MR. STARR: I prefer to wait until the item
3 comes up.

4 CHAIR TSAI: Okay.

5 MR. STARR: Thank you.

6 CHAIR TSAI: No problem. Okay. Anyone else
7 wish to testify? Seeing none, public testimony is now
8 closed.

9 We are going to our agenda item. Deputy.

10 DEPUTY DIRECTOR McLEAN: Thank you, Chair.

11 There are three public hearing items on the
12 agenda today. The first one is a request from Mr. David
13 Spee of Paia 2020, LLC for a Community Plan Amendment,
14 District Boundary Amendment, Change in Zoning, and Special
15 Management Area Use Permit for the Paia Courtyard Project
16 and related improvements located on Baldwin Avenue, makai
17 of the Paia Post Office, at TMK: 2-5-005: 063, in Paia.

18 I will just note, for the Commission and the
19 public's benefit, that the Commission's action today is to
20 make a recommendation to the County Council on the
21 Community Plan Amendment, District Boundary Amendment and
22 Change in Zoning. If those get approved by the Council,
23 then the matter would come back to the Commission for
24 action on the Special Management Area Use Permit. And
25 Kurt Wollenhaupt is the Project Planner.

1 MR. WOLLENHAUPT: Good morning, Members of the
2 Maui Planning Commission. And hello to the members of the
3 audience.

4 We're here today to talk about Paia 2020, LLC,
5 Paia Courtyard. And, indeed, the reason we're here, it's
6 a bit of a complex process, so I'll just kind of introduce
7 and help the audience people that might not be as familiar
8 with the process.

9 This is proposed on nine acres in Paia town,
10 directly adjacent to the post office, makai of the post
11 office.

12 There is going to be detailed review of
13 specifically what the project is by Mr. David Spee and his
14 team, but just to give an overview for everyone, it's to
15 be 56 independent senior living for-sale apartments which
16 will be subject to the Department of Housing and Human
17 Concerns affordability issues per their requirements.
18 There will be support facilities for these independent
19 senior apartments, including a pool, exercise facility and
20 social hall. And since I've now turned 55, I guess I
21 might qualify.

22 The grading, the installation of underground
23 utilities will be part of this project. Site
24 improvements, importantly to the community, would be a
25 309-stall parking area. That meets all of the proposed

1 and necessary uses, but, importantly, it also provides 44
2 additional on-site stalls with 13 off-site stalls in
3 excess of the Code requirements.

4 So if anyone has ever driven around Paia and
5 looking for parking, we have lots of businesses that
6 simply don't have any parking. So this is a benefit to
7 the project.

8 There, also, are proposed to have six two-story
9 mixed use retail and office buildings along with nine
10 upper-story residential units in there.

11 So why are we even here today and what's the
12 purpose of today's meeting? Well, there's, actually, four
13 different types of entitlements that are under review.
14 And the first three, that being District Boundary
15 Amendment, Change in Zoning and Community Plan Amendment,
16 we're going to be discussing those today. And this body
17 is advisory to the County Council. The County Council, on
18 those three, have the final say for approving, denying,
19 approving with different conditions.

20 So what are these three -- three entitlements?
21 As everyone knows, or as most people know, in Hawaii, all
22 lands are divided through the District Boundary Amendment
23 process in four different categories. That would be Ag,
24 Conservation, Rural and Urban.

25 So on this nine-acre parcel, there are a mixture

1 of District Boundary Amendments, but the proposal is to
2 take all of this to urbanization. That sets the stage.

3 Now, you could ask, well, why aren't we at the
4 State Land Use Commission today, this is a District
5 Boundary Amendment. Well, that's because this project is
6 under 15 acres. Therefore, this body takes the role of
7 the Land Use Commission in making the determination on the
8 District Boundary Amendment.

9 So what's the purpose of a District Boundary
10 Amendment? Why do we even have them?

11 The biggest purpose, and, really, their sole
12 purpose, although it seems to have been expanded over the
13 years, the purpose is to determine if this -- is this land
14 appropriate to be taken out of an agricultural use and
15 moved to urbanization. That's really the primary question
16 when you look at whether or not you should be recommending
17 or denying a District Boundary Amendment.

18 The second thing is the Community Plan
19 Amendment. As everyone knows, each of the areas on Maui,
20 Lanai, Molokai, have their Community Plan Amendments which
21 represents a goal, a vision for the community for
22 different areas, and how they would like to see this
23 developed.

24 The final wish of the applicant is for the
25 Community Plan in this area to become Business Commercial.

1 Now, this Business Commercial designation allows precisely
2 what the Maui Island Plan is hoping for this area which is
3 called the Paia Expansion Area.

4 The Maui Island Plan took years, cost probably
5 hundreds of thousands of dollars to develop, and they
6 determined where there should be particular growth in the
7 community. This area is known as the Paia Expansion Plan
8 Growth Area, which has a gross acreage of 41 acres. This
9 is nine acres of that 41.

10 It's really hoped in this area that there can
11 be, and I quote, "The site should be developed as a dense
12 mixed use expansion with multimodal connections between
13 the existing and the new community. Development should be
14 a mix of residential, commercial, single family,
15 multi-family housing units. Appropriate public
16 facilities, a medical clinic, open spaces, neighborhoods
17 serving transit stops. A hard edge will need to be
18 maintained in order to allow the expansion area to be
19 distinct to prevent urban sprawl."

20 So from the Maui Island Plan, we see that a
21 project like this, which does have a mix of uses, which
22 will be explained in great detail by the applicant today,
23 has some good synergies. We've heard about the importance
24 of bringing people who live on the north shore in homes
25 now, maybe they wish to sell their homes, a project like

1 this integrates them back into Paia town.

2 And perhaps it's one thing that we didn't hear
3 from the testifiers so much. We've heard about the need
4 for more affordable commercial, we've heard about the need
5 for parking, we've heard about the need for senior living
6 on the north shore, which there's very little, but I'm not
7 sure if anyone has spoken to or thought about how does
8 that change the texture of Paia?

9 I mean, you only have to go out there and see --
10 I've only been here for eight years, so I'm not one to
11 speak on the history so much, but even in those short
12 eight years, there's been talking up more and more of the
13 expensive swimwear shops or different shops that might not
14 cater to the local community. Well, this is an example of
15 trying to follow the Maui Island Plan by bringing people
16 who live in the area back into the community.

17 And I think that, also, interestingly enough,
18 could help on the safety issue of the community. When you
19 would have 56 units of senior housing, they're going to
20 take a good look as this -- as if this is their community.
21 And so it's probably something that really hasn't been
22 explored, but it does get back to what are the goals of
23 the Community Plan to preserve a community on the north
24 shore and to bring it -- bring it up -- so that it can be
25 a place where there can be more families, more seniors,

1 more people living in town itself to keep an eye on what's
2 going on.

3 Finally, we have the Change in Zoning. The
4 Change in Zoning is to take the entire project to Country
5 Town Business. That would be similar to the rest of the
6 Paia community. With these CPA, Community Plan Amendment,
7 Change in Zoning, CIZ and DBA, this continuity of zoning,
8 CPA and DBA, then allows a mixed use project to move
9 forward.

10 So, again, that's why -- that's -- that's what
11 the hearings are gonna be on today, taking testimony from
12 the audience, making recommendations and changes on to the
13 Council.

14 The fourth part of it is, part of this project
15 is in the Special Management Area. And for those in the
16 audience who don't know what a SMA is, that's an area of
17 special sensitivity adjacent to the shoreline. So
18 anything in the SMA needs to be considered with impacts to
19 the shoreline. We'll be taking testimony today and have
20 the public hearing on the SMA, but since we're not exactly
21 sure what the final project will be, because it still
22 would have to go to the Council, depending on how today's
23 meeting goes, we'll be bringing back the Special
24 Management Area to the Planning Commission for their
25 review as to potential impacts of the project -- assuming

1 that there is a project that moves out of the County
2 Council, what those impacts would be on the shoreline
3 area.

4 So that being the case, I'll just go by way of a
5 little bit of history, since, usually, it requires this.

6 The newspaper, some time ago, said that the Paia
7 project was inching along. That probably is true. This
8 project started in 2013. So since -- from 2013 to -- to
9 May 24th, 2016, the applicant worked on this final
10 environmental assessment. Now, I gave each of you a disk
11 so that you would be up to date on everything that had
12 transpired in those three years.

13 This environmental assessment is an important
14 document to be used along with today's review, just about
15 what's -- what this project -- what are the impacts, what
16 are the mitigations. Of course lots of information on
17 traffic. I believe there's been three traffic studies on
18 this project. Information on economic viability, housing
19 and human concerns.

20 I think there's been a question on the
21 commercial aspect in phasing. The applicant will be
22 discussing this phasing prospect, how it relates to the
23 senior housing and the park -- and the parking.

24 But just to let you know, the -- on October 6,
25 2015, the UDRB, they looked at this project since it is

1 in -- part of it's in the SMA. They had five conditions
2 which the applicant did incorporate into project design.

3 May 24th, 2016, this Maui Planning Commission
4 issued a finding of no significant impact. And then that
5 was sent -- the entire document that was then sent to the
6 Office of Environmental Quality Control, followed all of
7 the rules and regulations, it did pass the 30-day public
8 challenge period. And that then means that the EA has
9 been finally accepted.

10 The applicant has sent the notice of hearing for
11 today's meeting, and that really brings us to the
12 presentation by the applicant. That's probably what you
13 really wanted to see rather than me talking here, but I
14 try to set the framework as to why we're even here today.
15 So all of the staff is here to help answer questions. And
16 David and his team, they will be talking about the project
17 specifically.

18 Thanks.

19 UNIDENTIFIED SPEAKER: Public testimony relating
20 to --

21 CHAIR TSAI: We want to hear the presentation
22 first. After that.

23 MR. SPEE: Good morning. My name is David Spee.
24 I am the manager of Paia 2020, LLC, which was the entity
25 created and filed the application for the Paia Courtyard

1 Project.

2 As Kurt pointed out, this has been a long
3 process. And I've been, I think, before this Commission,
4 and the Urban Design Review Committee, I think this is my
5 fourth trip up here.

6 And rather than go in -- I thought about, well,
7 I'll just do the same kind of dog and pony show that I've
8 done each time. And I thought about it, well, you've seen
9 the nuts and bolt, the EA has been approved. And, really,
10 stepping back and what we're doing today is looking at,
11 you know, changing the zoning, changing what is now ag
12 land and converting it to an urban use.

13 And I -- and I -- the basis for everything I'm
14 doing really goes back to the Maui Island Plan, which, as
15 Kurt pointed out, substantial money was spent, it was
16 completed in 2012, after five years of study, tons of
17 community input. And it really defines where the
18 community wants to see Maui grow between 2010 and 2030.
19 And part of that growth is dictated -- and all this
20 information in the first few slides are direct quotes out
21 of the Maui Island Plan. In fact, it's dictated by the
22 growth of Maui. And in those two decades, they anticipate
23 about a 50,000 person increase in population, a 35 percent
24 increase for the island of Maui. And I think, as we can
25 see now, there's already stress on housing on this island.

1 And the question is where will that housing be built.

2 It's also pointed out that the population is aging. And
3 it's estimated, in those 20 years, that the senior
4 population above 62 will double on Maui as the baby
5 boomers age.

6 Now, the Maui Island Plan specifically
7 identifies projected growth areas, where we want to see
8 growth on the island. They've broken down six different
9 areas within Maui. You've got the west side,
10 Kihei-Makena, Wailuku-Kahului, Upcountry, Hana, and,
11 lastly, Paia-Haiku. Within the Paia-Haiku plan, they've
12 designated three separate areas for projected growth. One
13 is upper Paia, around Skill Village. There is one out by
14 the old high school. And there's another one which is
15 lower Paia.

16 And within the Maui Island Plan, the central
17 theme of that plan is keeping Maui keeping its open
18 spaces. And I think we're at a critical juncture on Maui
19 on how we proceed. I think anybody that's lived in Hawaii
20 long enough, who's -- who can remember sugarcane in Oahu
21 and has driven from Honolulu to -- to Haleiwa realizes
22 that the country is gone. It is urban sprawl as far as
23 the eye can see. And now with -- with sugarcane shutting
24 down on Maui, what happens in the next decade is -- is
25 extremely critical.

1 Now, this project can't control what happens in
2 the agricultural subdivisions. And there's a ton -- I
3 mean, 10,000 acres of agricultural land that is going to
4 go -- eventually go on the market. And I think it's a
5 pipe dream to think it's all going to -- you know, there's
6 going to be farms out there. And so we can't control
7 agricultural subdivisions. Those subdivisions aren't
8 looking for changes of zoning, they don't come before
9 review committees. So that land is probably going to get
10 gobbled up.

11 But what we're here today to look at is, okay,
12 where is the County determined where growth should occur
13 and how should that growth occur. And part of that is
14 denser communities and having people live closer together,
15 which puts less stress on the communities. Every time
16 there's a house built way out in Haiku, that car travels
17 every day, water has to get there, the utilities. It
18 stresses on all of the community and the infrastructure of
19 the community.

20 So what the Maui Island Plan is saying is, look,
21 let's try to concentrate the populations in urban
22 communities. Less traffic and less stress on -- on
23 utilities. So what they dictate for the Paia --
24 Paia-Haiku region, and what they state is the biggest
25 problem in that region is low density residential

1 development frequently in the form of agricultural
2 subdivisions.

3 I've been on Maui for 28 years. I used to live
4 in Haiku. And I think anybody who has been out in that
5 area, knows the area, is you've seen all the open space
6 being gobbled up by agricultural subdivisions. There's
7 not a lot of review. Most of the Maui Land & Pine
8 properties now are all -- have all been bought, they're
9 all in the process of more agricultural subdivisions.

10 So, again, to try to focus development in -- in
11 and around small towns is what the plan states. And it's
12 what this project is modeled after.

13 So if you look at the -- the bold points here,
14 this is really what the -- the theme of my project is.
15 "Compact country town design will help preserve other
16 agricultural lands and open space, and prevent the
17 continuation of the current trend of low-density
18 development across the region's landscape. The site
19 should be developed as a dense, mixed use expansion of the
20 adjacent Paia town that complements the existing
21 community."

22 Now, here's a map. If you look at the orange
23 and black crosshatched lines, that's what the Maui Island
24 Plan designates for future expansion. If -- and I don't
25 know -- so that nine acres is right in there. That's a

1 shaky hand, but it's that right there. That's nine acres
2 out of the 41. That's less than 25 percent of the total
3 projected area.

4 Of that 41 acres that they would like to see
5 developed by 2030, I can say that if anyone else wants to
6 jump on this bandwagon, it will probably be 2030 by the
7 time they get through the process. I bought this land, we
8 purchased it back in 2010. And almost as a joke, I called
9 it Paia 2020, thinking that, oh, it will easily be done by
10 then. And -- and it's a long process to get through. So,
11 really, this project is the only one in the loop of that
12 projected growth of what the Maui Island Plan wanted to
13 see for development in the area.

14 So this is the project site. It's nine acres.
15 It is bordered to the south by the Paia Post Office right
16 here. It has commercial buildings. All but one of these
17 buildings to the east is commercial. My guess is that the
18 last one will probably become commercial at some point.
19 You have the Dharma Center down here. To the north of the
20 project, you have the core of Paia town, which is a
21 mixture of residential and commercial building. To the
22 west is the sugarcane fields and the Paia Mini Bypass
23 road. And, again, to the west, that is all part of areas
24 that are within the projected growth area.

25 And I think no one would have thought that would

1 have ever happen until we heard that sugarcane is shutting
2 down. And so what happens in that area in the future, you
3 know, is anybody's guess.

4 This is a view from going up Baldwin Avenue.
5 This is the natural topography of the land which rises
6 above the street from the post office. Looking out, this
7 is the topography of the land.

8 This is the -- the -- back to the nuts and bolt
9 of the project. The commercial is located along Baldwin
10 Avenue. There are six buildings within the commercial,
11 encompassing 31,000 square feet. There is roughly 200,000
12 square feet of existing commercial space in Paia town. So
13 I guess this would -- would up the commercial space by 20
14 percent.

15 Within the commercial, above the commercial
16 spaces, are nine residential apartments. They would not
17 be under the senior housing guidelines. These would just
18 be open apartments, trying to recreate the town where
19 you -- actually, people live above where they work or they
20 live and -- and can walk in the community.

21 The senior housing will have 56 units. We are
22 playing with how many garages. There seems to be --
23 people want to have more garages. This right here is the
24 community room. Next to that is the swimming pool.

25 Over here is a bus stop. Right now -- it

1 wouldn't be a County bus stop, but it would be for the
2 seniors, MEO, things like that could come in and use the
3 stop. We could always work with the County of Maui, but
4 that's a whole different element of having a bus stop
5 within the County system.

6 In addition, this building is just storage
7 lockers for the people that live there.

8 As Kurt pointed out, the parking lot would have
9 309 on-site stalls, approximately 100 of those would be
10 dedicated to the senior housing.

11 It is proposed that we would have somebody
12 manage the parking lot, and it would be validated parking.

13 And I've had a building in Paia for years. And
14 after 15 years, I finally had to put a gate up. Because
15 if you don't somehow monitor your parking, you end up
16 with -- well, every morning, I would walk the parking lot
17 and pick up garbage. About twice a year, I would tow off
18 a car that someone would leave there. Even within the lot
19 that -- that we have (inaudible) right now, we're towing
20 two cars a month, just the people that would drag their
21 cars in and leave them. So you have to have something to
22 monitor your parking lot.

23 And the proposal is that every single tenant and
24 every single commercial tenant would have designated
25 parking for their business, for their employees, and

1 anyone who comes and uses those stores would have their
2 parking validated. So it would not be -- it would be paid
3 parking if you're not going to the stores or visiting
4 people that are there. But there has to be some mechanism
5 to -- to monitor the parking and to keep derelict vehicles
6 out.

7 The improvements to the property -- I can keep
8 going without slides, but we can do it -- I'm not sure if
9 you want to wait. Well, the --

10 CHAIR TSAI: Yeah, go on, continue.

11 MR. SPEE: Okay. The improvements would include
12 curb, gutter and sidewalk from the post office down to
13 connect with the lower sidewalk at the -- at the bottom of
14 the property. Right now, there's just kind of a curb
15 along the road (inaudible) to protect people from it. And
16 whenever it rains, it becomes a little river down that
17 side.

18 I think I do need the slide because I want to
19 show the scale of the project. I think that was one of
20 the issues raised, was how does this integrate with people
21 along the other side of the street.

22 MR. WOLLENHAUPT: We think it's the bulb that
23 burned out. So I'm not sure. Did you want to take a
24 break while we get --

25 CHAIR TSAI: Want to take a recess?

1 MR. SPEE: The -- I mean, the public can't see
2 it, but most of the documentation is in your folders. And
3 it's really the diagrams and renditions of the project
4 that show kind of the scale. And I can talk a little bit
5 about kind of the -- the phasing of the project and trying
6 to -- you know, I don't think any developer wants to build
7 commercial space that sits empty. I mean, that is -- that
8 does nobody any good. And it just costs money. The
9 County will tax an empty space just as much as it will tax
10 a full space.

11 So when we started the whole project, we thought
12 we would do it in three phases and just kind of roll
13 through with -- starting with one-half of the commercial
14 and then rolling into the senior. And at this point,
15 there is such overwhelming demand for the senior. And six
16 months ago, I started a list. Because people said, "I
17 want to be on the list, I want to be on the list." So we
18 started a list. Well, we're up to 40 people without any
19 advertising, just word of mouth on the project. And I --
20 I easily believe this thing would be completely sold by
21 the time, you know, the first shovel hit the ground.

22 So my guess is, is, you know -- and everything
23 is -- you know, getting financing from a bank and doing --
24 you know, going through all that process. So from a
25 developer's risk standpoint, you go with what you -- what

1 you got in the bank. And that would be probably start
2 with the infrastructure, which is building the parking
3 lot, getting the drainage in, getting all of that.
4 That's -- that's number one for the entire project,
5 because the infrastructure has to be there. The access of
6 the Paia Mini Bypass, the way out, the parking.

7 So building infrastructure and simultaneously be
8 working on the senior housing with one phase of the
9 commercial. And see how the commercial leases up. If the
10 commercial doesn't lease up, you don't want -- you know,
11 it kind of like going to Kaahumanu Mall. It's a little
12 sad when you see five stores are empty, you know, the best
13 stores, the corner stores. You don't want an empty mall.
14 You want it to -- to progress as it's going.

15 But there's, also, a synergy here that, okay, so
16 you have a lot of commercial space and you can't lease it.
17 Well, guess what you do? You lower the rent until you can
18 lease it.

19 And that goes back to this issue of the
20 businesses that we've lost in Paia town. And nobody can
21 afford to be there. And I've -- I've been talking to a
22 pharmacy, I've been talking to a doctor, there's
23 chiropractors, there's wellness people that -- I truly
24 believe that one of the buildings will be solely dedicated
25 to medical, and maybe more, supporting, you know, physical

1 therapists, things like that. You're gonna have 56 senior
2 apartments across the parking lot that will support that.
3 And you have a community that really has nothing other
4 than restaurants in the town that surrounds it because
5 they're not going to the realtors, they're not going to
6 most of the boutiques. So Paia really has become a town
7 for tourists.

8 And, you know, I've got a commercial building in
9 Paia that's part of this -- right on the edge of this
10 project. And I have a dentist in the building. He's been
11 there since the very beginning, in 2000. Well, since
12 2008, with an economic wipeout, he's -- you know, he
13 struggles. And so he's -- his rent is the same as it
14 was -- actually, it's lower than 2008, so he can stay in
15 Paia.

16 And, obviously, who knows -- you know, I'll be
17 dead someday. Who knows who will manage this thing. And
18 the market will control. But I firmly believe that this
19 project will bring back some of those businesses to Paia
20 town and support kind of an urban walking community. And
21 support more than just the seniors, but the people that
22 live in Paia town that will want to come up there.

23 And it also goes a little bit to the -- the
24 delineation of the project of -- you have the old town,
25 which is really the old town. And there's always kind of

1 an issue when you try to expand beyond something that is
2 what it is. And if there's any, you know, pushback, it's
3 like, oh, Paia is Paia, and this is different. Well,
4 yeah, it is different, it's a little newer, but it --
5 also, to me, the beauty of the project is, it is up and
6 apart. It is a little bit separate from town and it is --
7 it's an area that services the community versus services
8 the tourists.

9 If the tourists want funky and they want, you
10 know, pizza and shops and all that, that's great, but if
11 it's the -- if it's people that live there and want to go,
12 they want to be able to buzz in, they want to go to the
13 bank -- First Hawaiian Bank is very interested in having a
14 bank out there -- they wanna come in, they wanna be easily
15 parked and they wanna get out. So there's almost a beauty
16 to that it is a little separate from Paia town in where
17 it's located.

18 I thought we just had it.

19 Well, what the slides would show and what you
20 have in your books is the view -- and it's -- it's within
21 your -- your diagrams. It's the view of the commercial
22 from both the parking lot and what it would look like from
23 the other side of Baldwin Avenue, if you're walking up the
24 street. And what you can see is that the buildings are a
25 mixture of -- they're all governed by the Country Town

1 guidelines, so they all fit with the style of Paia.
2 Whenever you try to replicate something that is old, it --
3 it always looks a little different. It always has a
4 newness to it unless you beat it up. Well, I guess the
5 beauty of Paia and -- and Hawaii is that, in 10 years, it
6 will be beat up, just with the sun and everything else.

7 But, again, there's a -- you can talk about
8 scale and you can talk about size, but there's a yin and a
9 yang to everything. And if you limit the size, then -- if
10 it's small, then there's not a lot of extra space and
11 you've got pressures and demands on lack of space, and
12 rents go up and who's in there and who's not. So there --
13 there's always that push-pull to it.

14 Within those diagrams, you can get -- and I'm
15 sorry that the public can't see this, but you get an idea of
16 what we're trying to accomplish. And, obviously, the
17 renditions don't do justice to what reality is or -- or vice
18 versa. But there's every -- gonna be every attempt to try
19 to make this a good-looking commercial development that
20 complements town within the Country Town guidelines.

21 On the senior housing side, it's a combination of
22 one and two-bedroom units. They're all ADA accessible.
23 Every building has an elevator. And it's -- it's -- with
24 the 55 and older requirement, we're trying to create a
25 community where the people that live in -- in this project

1 can support each other as they age.

2 And I -- and I know I went through this the last
3 time, but I'm not sure if people remember, but my brother,
4 who's -- who's part of this, he -- he did the same type of
5 55 and older project in Seattle. And it's where my mom
6 lived. And there was a true beauty to the development
7 because she would go with her friends to the -- you know,
8 the early bird special, have their two glasses of wine, as
9 they all aged, they would take care of each other. That
10 with families not what they used to be, it's your friends
11 and the people that you live around that can do that.

12 And so my vision for this project is that not only
13 will I live there, but it will be my community and
14 supportive of the people around me. So I have a stake in
15 this, that -- that I want to live there, I want to be a part
16 of it.

17 MR. WOLLENHAUPT: Just to update, we're having
18 another projector brought over because we don't have a
19 connector cord between the computer and this projector.
20 So there will be one, it's being walked over at the
21 moment.

22 MR. SPEE: I can keep -- I can keep rolling here
23 and then we can kind of just --

24 CHAIR TSAI: What I can also do is have the
25 floor open up for public testimony.

1 MR. SPEE: Sure.

2 CHAIR TSAI: So people who want to testify and
3 didn't get a chance to testify earlier, have them come
4 forward.

5 MR. SPEE: Perfect. And then can I wrap it up.

6 CHAIR TSAI: Yeah. Is that okay with you guys?
7 Okay. So I'm going to open the floor back up for public
8 testimony. And people who have not testified, I have
9 Lance Holter.

10 MR. HOLTER: Good morning. So I -- I been a
11 resident of Paia for about 36 years. I've raised my three
12 daughters and my two grandsons in Paia. And I'm about 100
13 yards away from the development.

14 And I've seen a lot of issues come and go in
15 Paia. And I can honestly say that it's all about parking,
16 parking, parking. People complain all the time, there's
17 nowhere to come to Paia and park. I know the Dharma
18 Center rents out places at their place for Mana Foods.
19 David gives his whole area there to Mana Foods for
20 parking.

21 But, ironically, I live next to the County
22 parking lot there. And I see this every day, the people
23 jockeying for a place to park there. And it's just awful.
24 I mean, it's just completely terrible for such a unique
25 destination, where the small towns we have left in Maui

1 that it -- it's all because of parking that the -- it's
2 almost intolerable sometimes. So what Dave proposes, from
3 what I see from his presentation, is 309 parking spaces,
4 which is a huge benefit to the town and to the other
5 merchants and to just the health of the community.

6 I, also -- because I wanted to come in and
7 speak, I also wanted to bring up the Paia-Haiku Community
8 Plan from 1995, which is what this -- the other plans have
9 been based on. And it's incredibly prophetic, this plan.
10 But Dave's project, the Courtyard, meets the goals of land
11 use, meets the goals of the economic sections, the housing
12 sections. And it's a mixture of commercial and
13 residential, uses which is a smart development. It's
14 infill. It's from the post office down to town, and
15 encourages a doctor, a pharmacy, a clinic, a bank, a
16 theater, maybe even a farmer's market. It's walkable,
17 bikeable and it's a community for seniors.

18 Environmentally, it will keep all drainage on
19 site. We won't have as much muddy runoff into the ocean.

20 And I wholeheartedly believe that it's gonna be
21 a complete benefit to the town and our neighborhood.

22 Thank you very much.

23 CHAIR TSAI: Thank you, Lance. Okay. Hugh
24 Starr.

25 MR. STARR: Is it all right for me -- is it all

1 right for me to pass out, Chair, some --

2 CHAIR TSAI: Yeah.

3 MR. STARR: Thanks. Thank you, Chair. My name
4 is Hugh Starr. Back in the eighties, I had a restaurant
5 in Paia and I was, also, a commercial property owner.

6 At that time, we developed, over a couple of
7 years, the Paia-Haiku Design Guidelines. A lot of energy
8 went into this. The County hired a consultant from
9 Honolulu.

10 Basically, the intent of this was to try to
11 reflect on the character of Paia in particular and what
12 would the future look like. The intent of these
13 guidelines was to, basically, protect and preserve the
14 character of Paia as being one of our really special crown
15 jewels of our heritage.

16 So my testimony to you before you this
17 morning -- and I have no argument at all with the parking
18 needs -- of course no argument with senior housing and
19 affordable housing. Huge needs. I will add that with the
20 shutting down of the sugar plantation, I've even heard
21 that the land adjacent to Spee's project is actually going
22 to be sold by A&B. So the future in terms of parking and
23 affordable housing looks bright. I just want to say that,
24 from my perspective, we have some options now with sugar
25 shutting down, as horrific as it is to have that happen on

1 some levels. It's opening up some opportunities for us.

2 So, however, I am glad to see that.

3 My main issue, if I put it that way, is the
4 streetscape on Baldwin Avenue, the character of the town.
5 And if you -- you know, if you look at the -- if I just
6 were to read a quick excerpt from the design guidelines on
7 the issue of building heights, the design guidelines said,
8 "Lower Paia is primarily a one-story town. Paia is
9 primarily a one-story town."

10 So how do we preserve and protect that? Well,
11 one thing is that where the commercial buildings, the
12 40,000 square feet, where are they gonna be built. Well,
13 there is adequate room to build taller, bigger buildings
14 off the street and keep the buildings that are on Baldwin
15 Avenue to the scale and massing that the historic town has
16 always been. The sort of knee-jerk reaction is -- put it
17 a little differently, I won't say knee jerk -- but,
18 basically, the tendency is to build bigger and bigger and
19 bigger. And I may be a dinosaur in this regard, but I
20 feel that the character of the town, the history of the
21 town is worth preserving for our children and our
22 grandchildren. The only way we're going to be able to do
23 that is be extremely disciplined about the character of
24 the buildings on -- in Paia.

25 So my main concern is just the frontage along

1 Baldwin Avenue. And -- and David has proposed to build
2 commercial buildings two buildings deep. But if you'll
3 look carefully -- and I think this is an important
4 point -- all the buildings -- there's maybe one very small
5 exception -- all the buildings in Paia are built on the
6 sidewalk, the sidewalk level. These buildings, with maybe
7 one exception, are going to be anywhere from three to six
8 to eight to 10 feet above the street before they start
9 going up.

10 CHAIR TSAI: Please wrap up.

11 MR. STARR: Oh, sorry. And so that's the point
12 that I wanted to make was, basically, I would hope that
13 the Planning Commission would help the Council understand
14 the design character of Paia. And my recommendations that
15 I would hope you would pass on to the Planning Committee
16 at the Council is to keep the massing and the scale of the
17 buildings on Baldwin Avenue small, mixed, one and
18 two-story, and keep the buildings at sidewalk level.

19 Thank you very much.

20 CHAIR TSAI: Thank you. Okay. Anyone else wish
21 to testify on this agenda item? Please come forward,
22 identify yourself, you got three minutes.

23 MR. MONROE: Hello, everyone. My name's Lee
24 Monroe. I grew up in Paia area.

25 And my brother and some partners and I own a

1 commercial building right across the street from Dave
2 Spee's proposed development. It was built in 1934. And,
3 back then, no one really worried about parking. So we
4 have zero on-site parking. That's something we have to
5 deal with on our own, but what's currently being used on
6 Dave's project is a large dirt lot which can keep maybe
7 100, 125 cars. On some days, it's completely full.

8 So hearing that he's adding a bunch of parking
9 has been great news, but when you look at the numbers, it
10 sounds like there's 44 plus the 13 additional parking
11 beyond what his development would use. And, to me, that
12 sounds like a net loss. If you have the capacity of 125
13 on the property now, and you replace it with 44 plus the
14 13, that's the reality of the parking in Paia.

15 So, in general, I am for the development, I do
16 think we need local businesses beyond bikini stores and
17 boutiques, but I do think that it's not a very big plan
18 ahead, looking in the future for parking, to me, it's a
19 net loss, because all those spots, the 309, are dedicated
20 for his new buildings, leaving the 57. And as soon as
21 that dirt lot gets shut down with construction, you're out
22 100, 125 spots. So, to me, whether it's provided by the
23 County or provided by Dave Spee, I think that the parking
24 is -- is a really big issue.

25 And I have friends in my generation that just

1 don't even bother coming to Paia anymore because it's
2 just -- because of what it's become. And that's a shame
3 because it's -- it's a great little spot.

4 So, anyway, that's -- parking is my -- a real
5 look at the numbers of parking beyond what is used for his
6 new buildings is what I really think should be looked at
7 more.

8 CHAIR TSAI: Thank you. Question from
9 Commissioner Canto.

10 COMMISSIONER CANTO: Let me understand you,
11 then. So you are in support or not in support?

12 MR. MONROE: I'm in support of the project with
13 the caveat that there is additional parking added beyond
14 what is going to be used for his new buildings. And I say
15 that specifically because, right now, he has allowed a
16 large dirt parking lot to be used by the public in Paia.
17 And on a -- on a busy day, it's full. There's 125 cars
18 there now. And Paia still has parking issues. So when
19 his development goes in and you scrape that, you're
20 starting -- you're getting rid of 125 spots, and then he's
21 adding in 57 for public use. Well, that's a net loss.

22 COMMISSIONER CANTO: All right. Thank you.
23 Thank you, Chair.

24 CHAIR TSAI: Thank you.

25 MR. MONROE: Thank you.

1 CHAIR TSAI: Anyone else wish to testify?

2 Please come forward.

3 MR. BASKIN: Good morning. My name is Michael
4 Baskin. And I have been a Paia resident for 40 years,
5 actually. I got my first job at Charley's when I was 14
6 years old. I'm, also, a Seabury Hall graduate. And I
7 own, in Paia, now, eight properties that are within 750
8 feet of this property. I was also the -- for eight years,
9 I was on the Paia Main Street board and I was the
10 vice-Chair, and I oversaw the design committee portion of
11 that. So I've, obviously, been in Paia for a long time I
12 just want to say that I'm in support of this project.

13 I have a number of commercial properties with
14 tenants in them right now. And we, actually, have a whole
15 list of people trying to get in to rent spaces. So
16 there's a definite demand in Paia. There's been a --
17 there's over 20,000 cars a day that are going through
18 Paia.

19 And parking is definitely an issue, but
20 Mr. Spee's project has parking on site, which I think is
21 great. I think the current parking lot that he has, that
22 he's giving to the public, is just that, he's giving it to
23 the public for their use, which is, obviously, just trying
24 to help people.

25 The senior component is, obviously, very

1 compelling. The 40-some-thousand square feet of
2 commercial space, my own impression is that, actually,
3 that will be taken up quite quickly. I just think there
4 is that much demand in the town of Paia for commercial
5 space.

6 So I also wanted to make a quick comment about
7 the design guidelines. You know, these were done in 1995.
8 It, actually, should have been updated quite a bit
9 already. It's been mandated in the Charter that they be
10 updated.

11 So I think when you look at the design
12 guidelines from 1995, you're actually looking at very
13 historic information. Whereas, the Maui Island Plan is
14 definitely more current, was vetted through the community.
15 And so this project being in the Paia town expansion, I
16 think, is very compelling. I think that his project is
17 100 percent in that. And I think we need to look at that.

18 And I've read through that in detail. And I'm
19 impressed that his project really meets all of the aspects
20 of the Maui Island Plan. So I just wanted to give that
21 comment.

22 There are, also, many two-story buildings in
23 Paia. I own a couple of them. So the idea that there
24 would be one story doesn't really make sense to me. I
25 think still the design that has been done by Hunton Conrad

1 is very impressive. I've looked at it. And I feel like
2 they've really taken into consideration the aspect of the
3 town. It looks like a continuation of the town. It's
4 impressive to me.

5 So as a long time owner of properties in the
6 town, I just wanted to give that input. Thank you very
7 much.

8 CHAIR TSAI: Thank you. We got a question from
9 Commissioner Higashi.

10 COMMISSIONER HIGASHI: Mike, did you say that
11 you have a commercial property in Paia?

12 MR. BASKIN: Yes, I do.

13 COMMISSIONER HIGASHI: What is the average
14 rental rate of a place in Paia?

15 MR. BASKIN: So I own four buildings in Paia
16 that are commercial and four that are residential, all
17 within 750 feet of this project. So the commercial
18 buildings, we've definitely seen a continuation of them
19 going up. I mean, I recall when they were \$2 a foot, \$4 a
20 foot, \$6 a foot. Now, we're really seeing about \$8 a foot
21 plus CAM for -- on average for properties in Paia.

22 COMMISSIONER HIGASHI: So total, if I were to
23 rent a space in your particular area, what would be the
24 cost per month?

25 MR. BASKIN: So if you're looking at a small

1 space, say a 500-square-foot space, ultimately you're
2 gonna be looking at four or five thousand dollars a month
3 for rent for that space. My spaces are mostly located on
4 Hana Highway, so the rents are a little bit higher than
5 they are up on Baldwin. And I would suspect that his
6 project up on Baldwin a little bit higher will be a little
7 bit lower rates.

8 And I do believe that this concept of having
9 senior housing and additional space will definitely
10 provide some lower rate spaces that will be available.
11 The idea that dentists, doctors, medical, pharmacy would
12 come into the space is very compelling to me.

13 I do think the idea that we can bring back
14 people that are local people to the community in the
15 spaces is ideal.

16 And I do think that there have been an increase
17 of -- of galleries and retail shops that are catering
18 to -- to, primarily, visitors.

19 Now, I think that you need a mix. We definitely
20 need visitors in the town because they bring dollars to
21 the town, but I do think that this design on nine acres
22 with a mixed use will have exactly what they're trying to
23 describe.

24 COMMISSIONER HIGASHI: Thank you.

25 MR. BASKIN: Thank you.

1 CHAIR TSAI: Oh, we got another question.
2 Commissioner Robinson.

3 COMMISSIONER ROBINSON: Hi. Thank you. So you
4 have four commercial properties. How many designated
5 stalls do you have yourself for those four properties?

6 MR. BASKIN: So it turns out I, actually, have
7 parking for all of my buildings. And I should say total.
8 We -- we bought a parking lot to provide parking for our
9 properties. Some of the buildings are fronting on Hana
10 Highway and -- and don't have parking. So some do, in
11 fact, park in the -- in the commercial lots or on the
12 streets as well.

13 COMMISSIONER ROBINSON: So we had a testifier
14 earlier that said that the applicant is nice enough to --
15 to let everybody use his lot for parking --

16 MR. BASKIN: Yeah.

17 COMMISSIONER ROBINSON: -- but the realty is
18 that parking lot is no longer gonna be there except for 44
19 stalls. So how is that gonna affect the rest of the
20 businesses? Even though it's not his problem, we want to
21 know the whole problem so we can try to, you know, maybe
22 fix two problems at one time.

23 MR. BASKIN: Really at hand here is we
24 definitely need more parking. So parking is gonna be a
25 key thing. And I hope that there will be some solutions

1 outside of Mr. Spee's that are coming up soon that will
2 provide for additional parking for the town. In fact,
3 recently, the County acquired the Youth Center project.
4 And there's parking that, my understanding, is going to be
5 increased there. That will help with the town.

6 But what's interesting about Mr. Spee's property
7 is he actually has extra parking. So while it's paid,
8 that's fine, it should be in order for it to be properly
9 managed. So the fact that he is -- has all the parking
10 for his project and extra parking of any sort, even 40
11 stalls extra, is, obviously, going to be a benefit.
12 Currently, he's providing parking just because it's a dirt
13 lot and he doesn't have a project. But that's impressive
14 that he's doing that. So, to me, the fact that he's going
15 to have some extra parking means that there will be some
16 benefit.

17 COMMISSIONER ROBINSON: Do you think it's the
18 County's responsibility or the businesses of Paia to
19 figure out the parking situation?

20 MR. BASKIN: I think that it's probably both,
21 it's a combination of the two working together to be able
22 to provide some parking. I think the County should have
23 stepped up at some point in time earlier on and tried to
24 provide more parking. I think that the community has
25 continued to state that parking, parking, parking, as

1 Lance Holter stated, has been a concern. And eight years
2 on the Paia Main Street Board, every single meeting, it
3 was always about the same thing, what are we as the board
4 doing about parking. So our -- we had, obviously,
5 limitations in terms of what we could do. But parking is
6 a -- is a major concern. So I think there will be some
7 parking that will be coming up, but the fact that his
8 project has added parking is an added benefit.

9 CHAIR TSAI: We have another question.
10 Commissioner Carnicelli.

11 COMMISSIONER CARNICELLI: So, Michael, I -- my
12 question is also gonna be about parking. And I agree with
13 the fact that David is providing parking. I remember when
14 the lot opened. And part of it was because the parking
15 lot behind Charley's and -- and what was then Jacque's
16 went to pay. And all of us, like the testifiers said, we
17 don't go there anymore because I'm not gonna pay to park.

18 MR. BASKIN: Uh-huh.

19 COMMISSIONER CARNICELLI: Right. So local
20 people don't really pay to park, for the most part. So
21 the fact that this is an extra 44 stalls is great, but
22 don't you see the same thing happening where the net is
23 actually going to be zero because tourists will pay to
24 park, but we're all gonna fight to park behind Lance
25 Holter's house or out at the Paia, you know, Youth Center

1 and then walk in. And even then, you're going like, gosh,
2 do I really wanna carry my groceries from Mana Foods all
3 the way to the youth center. So, you know, as a fellow
4 business owner and someone that owns that, what is your
5 thoughts on locals park for free? I mean, I know it's not
6 your project --

7 MR. BASKIN: Yeah.

8 COMMISSIONER CARNICELLI: -- placing your
9 opinion on his project, but I'm just throwing that out
10 there, kamaaina special.

11 MR. BASKIN: Yeah, I know. I have an opinion on
12 it. You know, personally, I think that Paia is just
13 getting better. I mean, I have been there since I was 14.
14 It's gone through stages of being quite rough. And, in my
15 opinion, the parking lots that were dirt, like the one
16 behind Charley's, for many, many years was a place where
17 people -- it was dark, there were drugs, there was lots of
18 activity going on there. When the project got paved and
19 it was properly managed and -- and people had to pay, I
20 think that it's improved. And I'm considering everything
21 on that.

22 Locals parking, paying to park. I mean, we have
23 a problem that's multifaceted there. Security is an
24 issue.

25 And so, you know, as I look at the town, I think

1 Paia is getting better. And I -- I think that -- that
2 people that are coming in are making improvements to it.
3 And so I think that it's an important, not only community
4 for locals, but for tourists that are coming here, the two
5 and-a-half million people that are coming. A good portion
6 of them are coming through Paia and like Paia and are
7 shopping in the shops. And there's a lot of economic
8 benefit to the improvements that have been made for locals
9 and all of us. We provide over 30-some jobs and people
10 are having a hard time finding places to live, places to
11 park, but we want those people, also, to stay on Maui and
12 not move to the mainland and go away. So if you look at
13 all of it, I think the improvements are important, and
14 take into consideration all that.

15 So, again, I kind of go back to I think that
16 having a properly-managed parking lot does make sense. I
17 think if it were free, you would have a lot of concerns.
18 So, to me, the idea of it being where people have to, in
19 fact, validate for their parking makes a lot of sense.
20 And there is 40-some extra stalls. 40-some extra stalls
21 is a big increase. There's only 88 stalls in the current
22 parking that is -- as you first come into town, it's quite
23 full. And there are less than that next to Mana's. So
24 this is gonna provide quite a big increase percentage in
25 the parking.

1 CHAIR TSAI: Thank you.

2 MR. BASKIN: Thank you.

3 CHAIR TSAI: Anyone else wish to testify?
4 Please come forward, identify yourself, you have three
5 minutes.

6 MS. MARTIN: Good morning, Chair Tsai,
7 Vice-Chair Duvauchelle and Members of the Planning
8 Commission. I'm Amanda Martin. And I am here this
9 morning in support of David Spee of Paia 2020 and his
10 project Paia Courtyard. I'm employed by the County of
11 Maui as a Council Executive Assistant to Councilmember
12 Gladys Baisa, but, however, today, I'm here in my
13 individual capacity.

14 I'm a frequent visitor of Paia. My sister lives
15 and work in Paia. And I spend much time there with her
16 and her children.

17 This project, Paia Courtyard, will be a great
18 addition to Paia. It will provide much needed senior
19 housing with lots of parking and extra parking for our
20 community, as we've heard. In addition, I believe it will
21 free up many homes for our local families.

22 You know, as we hear and we've been hearing,
23 that many of our families are scrambling, you know, and
24 always looking for homes and looking for rentals.

25 And I just believe with this senior housing,

1 many of our kupuna, our elderly, will be moving into this
2 home and will free up a lot of the homes, end up for
3 rentals, and which our local families need and that we
4 see, you know, every day.

5 Mr. Spee, I believe, is a good person. And I
6 strongly believe that he has done everything to satisfy
7 the needs of our community in addressing the concerns of
8 our community.

9 I have worked at the County Council since 1990,
10 and I have served four councilmembers. And I have seen
11 many projects and many developers over the years -- over
12 the years. I believe Mr. Spee cares about Paia. He's
13 very passionate about this project. He cares for our
14 elderly population and our special needs community, which
15 is near -- which is nearby his project.

16 You know, I support on his project. I hope you
17 will approve it in favor and pass it on to the County
18 Council.

19 Thank you for giving me this opportunity to be
20 here this morning. Mahalo.

21 CHAIR TSAI: Thank you. Mahalo. Anyone else
22 wish to testify at this point? Please come forward.

23 MR. BALL: My name is Ken Ball. I didn't -- I
24 came here to testify on something else today, but I'm
25 familiar with the project. I've been a store owner in

1 Paia since 1982, we're adjacent to the property.

2 I'm for the project. I've seen it -- I've
3 gotten the -- the mail on it. And it looks really cool.
4 I've talked to Dave about it.

5 The only question I have is what you addressed
6 about locals won't pay for parking. I'm wondering if
7 there's any way, we do -- and we sell expensive bikinis
8 that you were talking about, but we also -- we, also, sell
9 used surfboards that are cheaper than the bikinis and we
10 sell the cheapest -- we sell the cheapest surf wax on the
11 island. So our customer is not gonna pay to come and buy
12 \$1.50, you know, bar of surf wax. So my question would be
13 is there any way that those 40-some spaces could be --
14 could be not paid? I don't know if that's -- could be
15 possible or not, but that would just be my input.

16 But I think it's a great project. So thank you.

17 CHAIR TSAI: Thank you.

18 MR. NEISS: Good morning. My name's Peter
19 Neiss, owner of Maui Architectural Group. I was also on
20 the Paia Main Street committee years back when this
21 project first came up. I have a degree in urban planning
22 as well as a master in architecture.

23 This is a good project. It's what -- it's what
24 we want to see, higher density in a smaller area, not --
25 not letting everything sprawl out. Overall, it's a good

1 project. It'll be a benefit to Paia and the community, I
2 feel.

3 There's a couple of things. I was wondering
4 if -- if there's any possibility for a private/public
5 partnership on the parking where maybe the County's lot
6 extends under a podium parking. It's -- it's expensive.
7 I wouldn't expect David to pay for that himself, but if
8 you could do that, his views would be improved, plus, you
9 could put a lot of parking underneath, possibly. And I
10 know it's expensive to do that, but you could easily
11 double the parking in a small area based on the topography
12 of the lot. I haven't studied it carefully, but it seems
13 like it can make sense. And there's gonna have to be a
14 lot of grading there, anyway. It's just a thought, but
15 overall, I'm in support of David Spee's project.

16 CHAIR TSAI: Commissioner Carnicelli.

17 COMMISSIONER CARNICELLI: Okay. So -- so my
18 question, since you said that you're on the design review
19 board, architectural background, everything like that, I
20 would like to hear what you have to say about what Hugh
21 brought up, which --

22 MR. NEISS: Yes.

23 COMMISSIONER CARNICELLI: -- which is -- because
24 we have, basically, elevations over and above the street
25 and then we're going up from there. So your background in

1 that, what are your views?

2 MR. NEISS: We're -- actually, we've been
3 contracted by the County to help rewrite the architectural
4 design guidelines. Hugh is very -- he's correct that it
5 would be way better if it's brought down to street level.
6 There's a berm right there along Baldwin Avenue right now.
7 To interrupt the streetscape is not a good idea. It's
8 not -- it'll take away from Paia, the character of Paia.
9 Even recently, if you look at some of the buildings down
10 towards Baldwin and Hana Highway, the scale is a little
11 bit frustrating.

12 We did Rock & Brews and we put a lot of effort
13 into making that Paia-appropriate. And then some
14 buildings come in and their scale just doesn't feel
15 appropriate. They're very large and boxy. And -- and
16 it's -- you can't do that too much or you're gonna lose --
17 lose the small town character. And that's why -- that's
18 what makes Paia special.

19 So the more you can keep that scale-appropriate.
20 Two stories, I think, is fine, but maybe stepping it back,
21 providing some second-story balconies or not having the
22 (inaudible) pitch go straight up and boxing it off, or
23 things that could help.

24 One other thing that's a bummer is that's a lot
25 of asphalt in the middle of it. I know parking is,

1 obviously, the main concern, but that's gonna be something
2 that seems like it's in town, near Target or something,
3 with that much asphalt. But, yeah, parking will trump the
4 aesthetics on that one.

5 CHAIR TSAI: Okay. Anyone else? Seeing none,
6 public testimony is now closed.

7 David, would you please proceed and finish your
8 presentation?

9 MR. SPEE: And that was, actually, good because
10 parking is something dear to my heart. I've had -- I
11 built my building in Paia in 2000. And I had a little lot
12 there that I had probably five or six extra stalls and --
13 and I think we needed 10 and I was able to put five more
14 in the back. So I had extra stalls there.

15 And for 15 years, I kept that thing open. And
16 picking up garbage. And the final straw was last year,
17 when -- when one of my tenants asked someone to leave
18 their -- their reserved stall, and the guy almost beat her
19 up. And that's when I put a gate in. And I had been
20 frustrated. You know, I would watch people park in that
21 parking lot and walk right across the street to Mana
22 Foods, go do their shopping, park there for four or five
23 hours.

24 And I really looked at parking in Paia. I've
25 walked around town. I walked around town, and you have

1 roughly 200,000 square feet of commercial space in town.
2 For that 200,000 square feet, there's about 205 private
3 parking stalls. I'm not talking about the County lots;
4 I'm talking private parking stalls. So what that means is
5 I'm going to -- I'm going to add 40,000 square feet and
6 double the amount of private parking in Paia.

7 What is going on, and it's been my frustration
8 every year when I get my tax bill, is I gave up \$5,000 for
9 my little parking lot that, basically, is serving every
10 other business in town. So to have a businessman come in,
11 who provides zero parking, who pays nothing to the tax
12 base, and then cry foul that private business owners,
13 another landowner, isn't doing his fair share, or that the
14 County should step up and use our tax dollars so he can
15 charge eight bucks a foot and make substantial profit,
16 it -- it turns my stomach a little bit. Because this is
17 an issue of who should be paying for it. Well, should the
18 County pay for it when you're making eight bucks a foot on
19 a small commercial building, you're making, you know,
20 hundreds of thousands of dollars a year.

21 And, you know, Michael was right, what did he do
22 to solve his parking? He bought his own lot. He took
23 care of his problem. Well, most of the owners, they don't
24 want to do that, they want the County or someone else to
25 do it.

1 So, in a sense, he's only saying, well, you were
2 so generous to provide those lots, but if you're gonna
3 take 'em away, you know, you -- I should be penalized
4 because I've opened a gravel parking lot? I don't know.

5 So the parking issue, the bottom line is, this
6 is much more than just 40 extra stalls, this is doubling
7 the amount of private parking in town. With a 20 percent
8 increase in space, it is doubling the amount of private
9 parking.

10 That's why there's a problem in Paia. Because
11 most of the buildings have no parking. And they pay
12 nothing in the tax base for everyone else providing it,
13 whether it's the County or the few private owners that
14 have parking lots. So -- and I can go on and on about
15 parking.

16 The issue, it would be validated parking. And
17 you use the businesses -- I've already spoken to Mana
18 Foods, they wanna have a Mana light, that if you shop at
19 Mana, you can still get your free parking, but the idea
20 that -- I don't care, just because you're a local and you
21 wanna come in and go have lunch down the street at
22 somebody's other restaurant and sit in the parking lot for
23 four hours, it shouldn't be for -- free parking. If
24 you're in a restaurant, if you're supporting a tenant
25 that's in that building, it's -- it supports the

1 businesses. So, I mean, if you want to run in and grab a
2 soda pop and get your -- your parking validated, great,
3 that's -- that's how it works. But that's the parking
4 issue.

5 As to what Hugh raised, Hugh and I have talked
6 about this over the years. And I've talked with the
7 Planning Commission. I've talked to other owners. And
8 this is a -- this is a question of, well, you know, one
9 guy may like it lower, one guy may like a higher. I
10 understand Hugh's argument. The counterargument to that
11 is, is that you are going away from the natural topography
12 of the land. From a strictly development side, if we drop
13 those buildings down onto street level, we are now having
14 to account for all of our water, which, now, we're using
15 energy and pumps purposes to pump any excess water up and
16 over, into the infiltrator systems. We are now
17 stepping -- and I had Hunton Conrad do the design of what
18 that would look like. And we end up with five or six,
19 maybe even five to 10 stairs, stepped upstairs through
20 this thing where the whole project becomes this up, down,
21 you know, trying to create something that isn't within the
22 natural topography. This is supposed to be helping senior
23 citizens walk across and use the project. Having one flat
24 topography, which is the existing topography, without
25 having to move a ton of dirt, allows natural flow of

1 water, it allows the people that use the project to be on
2 a level field in it.

3 I mean, I've got the few lit parking lots in
4 Paia. I have skateboarders every night in my parking lot.
5 If this is stepped up with stairs and railings throughout
6 this thing, I can -- I can just see I'm going to need a
7 policeman just to keep the skateboarders out of there.

8 So there's always a yin and a yang to
9 everything, you know, and, well, that sounds good. Well,
10 we've come to the determination that the best part of this
11 project is, yes, having it -- it is up on the hill, it is
12 set aside. It is different than old Paia town. It is not
13 the same as Paia town. It is supporting something
14 different. And old Paia can stay old Paia.

15 So that's the point on both the parking and the
16 street level.

17 The other issue was the idea Mr. Neiss posed was
18 about the cement in the parking lot. And I agree, it's a
19 lot of concrete. But the guidelines require shade trees,
20 but, instead of that -- and I wrote this -- raised this
21 issue the last time I was here -- is that we're working
22 with Rising Sun and we would like to see covered parking
23 for the majority of that parking and provide photovoltaic
24 electricity for both the commercial and residential. And
25 the issue, well, what was that design gonna be, and we'll

1 try to follow the Country Town guidelines, but, again, I
2 can't move forward with those designs until I've got a
3 reasonably clear vision that this is gonna come to
4 fruition.

5 But even though Paia is a early 20th Century
6 town, the design that's going into this project is 21st
7 Century. It has electrical charging stations. It's
8 photovoltaic. It's water conservation. There's a well on
9 site that will provide all non-potable water, so we won't
10 be taking as much water from the Iao Reservoir.

11 I think we can move on to the slides.

12 Yeah, the new Urban Design Guidelines are all
13 about planter fingers, shade trees. That is the intent,
14 that the cars won't be baking, that this will be a
15 futuristic project that looks backwards towards the
16 original design of Paia town.

17 And, you know, I can take into consideration --
18 and maybe, you know, the -- I think the -- the part that
19 stands off the most is probably looking up Baldwin Avenue.
20 And this would be the slide of the -- the proposed
21 buildings and what you would see. And, yeah, that's --
22 the entrance would be from below there. Off to the left,
23 there would be a ramp that would be for handicap
24 accessible coming up. And there could be ways to offset
25 the buildings a little further or shave off maybe that

1 highest building at the lowest point and make it single
2 story. All of that -- you know, this is a work in
3 progress. And we've got to present something to move
4 forward.

5 And, again, we go back to that yin and the yang.
6 Do we provide more apartments and commercial space where
7 there's need, or do you -- do you cut it back and -- and
8 not provide enough?

9 The Maui Island Plan talks about density.
10 There's a -- there's a cost to density. People don't like
11 density, but there's a -- do you preserve open space?
12 There's no perfect answer and we'll never satisfy
13 everyone.

14 So I think that we've -- we've thought long and
15 hard about how to design the project.

16 There's another element that if you really shave
17 off, and I'm talking hundreds of thousands of cubic yards
18 of dirt to get it down to street level. Now we're
19 deviating from the natural topography. And now you're --
20 you know, environmentally, what are you doing. And,
21 again, the energy to move the water out of there.
22 We're -- we're changing what is existing land.

23 So we can go through the slides. Everyone's
24 kind of seen the -- what the proposed project would look
25 like. This is from across the street, from the post

1 office looking at the corner of the -- of the project,
2 looking down Baldwin. This would be inside the parking
3 lot, on the upper side, looking into the project. This
4 would be down the center, having a courtyard feel to it.
5 This is the parking lot, looking at the senior housing.
6 Keep going. Just views from below, looking up at the
7 senior housing. Each of the apartments in the senior
8 housing --

9 CHAIR TSAI: David, can you please speak --

10 MR. SPEE: Oh, excuse me.

11 CHAIR TSAI: -- into the mic?

12 MR. SPEE: Each of the -- each of the apartments
13 in the senior housing would have a view of either
14 Haleakala, West Maui Mountains or the Pacific Ocean. A
15 lot of them will have views of all three as they're on the
16 hill overlooking what are existing cane fields and,
17 hopefully, will be open space for a long time.

18 And just kind of in summarization, the project
19 includes both commercial and senior housing, which are
20 needed on the north shore. They comply with everything
21 that is -- that is laid out in the Maui Island Plan and in
22 the Community Plan. There is -- the project is designed
23 with sustainability in mind, that it -- that it would be a
24 21st Century project and really try to have electric
25 charging stations, you know, be self -- as self-sufficient

1 as it can for the future.

2 And, again, what are we doing here today? We
3 have multiple zoning characteristics here. And it's
4 really broken down into four separate lots. On the State
5 zoning, it's all agriculture except for my existing parcel
6 which is already Urban. So we're looking for the State
7 zoning to be converted to Urban. On the County side, the
8 large parcel to the left is Ag. And the parcel -- that's
9 C. Parcels A and B are Interim. So we're asking that
10 that be converted to Country Town Business. And then on
11 the Community Plan, you already have Business Commercial
12 in Parcel A, that was always intended to be Business
13 Commercial coming up Baldwin Avenue on that side. You
14 have Public/Quasi-Public in Parcel B. And you have
15 agriculture on Parcel C.

16 So, really, the question before you is, does it
17 make sense to convert these lands that are really
18 surround -- already surrounded by Paia town from -- the
19 largest portion is Agriculture to an Urban use. And if
20 that makes sense, then the project should be approved.

21 Again, this is another map of the Maui Island
22 Directed Growth Map. And can you see where they
23 envisioned future growth for this community.

24 And that's pretty much it in a nutshell. I can
25 summarize again, but I feel like I've kind of gone over

1 it --

2 CHAIR TSAI: Thank you, David. Before we start
3 taking questions from the Commission, I would like to take
4 a break. Let's break for 10 minutes and come back.

5 (Recess.)

6 CHAIR TSAI: Maui Planning Commission is called
7 back to order. I got just an announcement. We got a --
8 Michael Paul Milner, you have your -- one of your bills --
9 water bill on the floor.

10 UNIDENTIFIED SPEAKER: Is it current?

11 CHAIR TSAI: Okay. So we're on Agenda Item C1,
12 questions from the Commissioners regarding C1, the Paia
13 Courtyard Project?

14 MR. WOLLENHAUPT: Oh, I just have a quick
15 announcement. It's been two hours. So if you have
16 parking, you'll get ticketed if your car's been out there
17 since 9:00. Community park announcement.

18 CHAIR TSAI: Thank you. Commissioner Hedani.

19 COMMISSIONER HEDANI: Congratulations on getting
20 to this point.

21 MR. SPEE: Thank you. It's been a long road.

22 COMMISSIONER HEDANI: It's been a long road.
23 And I have seen the project so many times before that I'm
24 kind of wondering, you know, what about it in the process,
25 you know, that we can scoot things along a little better.

1 MR. SPEE: Well, you know, if -- you know, each
2 time I've come, it's been unanimously supported, which
3 is -- is very assuring for me. But the next step is
4 really when do I go to working drawings, when do I start
5 spending more money on the potential that it could get
6 stopped. And how it comes out of here and what I've seen
7 today, I mean, I feel pretty good that, okay, now it's
8 time to start playing with the design and taking some of
9 these comments and maybe softening that corner building
10 and -- and spend the money on designing the photovoltaic
11 that would be in the parking lot and doing those things
12 with the confidence that I can get through County Council.
13 And, ultimately, I come right back here for the -- the
14 final throw. And, you know, I'm starting to see -- for
15 all these years, it's just been, well, patience, patience,
16 patience, patience, but now it's -- I can almost taste it
17 that it's coming. So that -- that's the next step for me
18 is to, you know, engage the architect.

19 CHAIR TSAI: Commissioner Hedani.

20 COMMISSIONER HEDANI: Yeah. Mr. Neiss is a
21 really bright guy. I like the comments that he made. And
22 I think from the perspective of looking at the buildings
23 from that perspective, and especially in some of the
24 renditions that were put up, it looks like it's almost
25 stretching to be higher rather than -- rather than

1 blending scale-wise.

2 MR. SPEE: Well, I think that, especially at the
3 lowest corner, where you have the highest height, and I
4 was just talking to Hunton Conrad about that, that maybe
5 we -- we chop off the top, we make that a single story.
6 And it's already set back about 20 feet. And then we try
7 to blend that in and make that -- you know, that's the --
8 you can have a little taller 12-foot ceilings. We take
9 off the top and now our 44 extra parking stalls is gonna
10 turn into 48 or 49 extra parking stalls. So it
11 accomplishes a couple things. But, again, it also
12 probably would eliminate one of the apartments, you know,
13 a rental apartment that would be available. And
14 there's -- you know, we know what's happening with the
15 rental market in Hawaii.

16 CHAIR TSAI: Commissioner Hedani.

17 COMMISSIONER HEDANI: The only other comment
18 that I have was, you're gonna be using LED fixtures in
19 your parking areas and for your lighting within the
20 project itself. One of the things that I notice lately
21 that came up is that if you have LED fixtures that are in
22 the 5,000 Kelvin range, the really bright white light, it
23 kind of messes up your day and night cycles for people.
24 So it's kind of a health problem from that perspective.
25 So the -- the suggestion would be to look at the -- the

1 warmer colors of LED that are in the 3,000 range, that
2 would avoid those problems.

3 MR. SPEE: I'm in complete agreement with that,
4 that the white light is the problem. But I think
5 technology is changing rapidly where they're -- it is
6 better and better with the softer colors.

7 CHAIR TSAI: Commissioner Carnicelli.

8 COMMISSIONER CARNICELLI: So, David, I -- if you
9 could go to the site plan. I wasn't here for before, and
10 I'm making a couple of assumptions here. Ingress/egress,
11 go ahead and just explain that to me, please, rather than
12 me making the assumptions.

13 MR. SPEE: Sure. I've negotiated an easement
14 with A&B Properties to come off the Paia Mini Bypass. And
15 the Paia Mini Bypass runs along the back here. So the
16 entrance would be -- this would be a one-way entrance in.
17 There would be no out. So, basically, people from --
18 coming from town could pop up in the mini bypass, know
19 they have a place to park and drop into town. Now, the
20 exit, the sole exit would be off onto Baldwin Avenue. And
21 the question is, well, this is a substantial amount of
22 traffic. We already have, with the dirt parking lot, at
23 times, you know, anywhere between 100 and 150 cars on
24 there that are just solely using, you know, the businesses
25 in town as is.

1 So we look at the commercial, yeah, we're gonna
2 jump the commercial from -- up to roughly 200 parking
3 stalls for the commercial, the residential, you know, most
4 of these people are -- are retired, they're not on the
5 normal schedule. They don't want be in traffic in the
6 morning rush hour or the late afternoon. So they're
7 avoiding it. The other element is the people that -- that
8 are there, most of them, they just want to walk to the
9 stores and businesses.

10 So, yes. There's -- there's no question. Will
11 this have a traffic impact? You can't build a cottage in
12 your back yard and add someone living there without having
13 a traffic impact. The -- the counter to the traffic
14 impact is the ability to have the extra parking. And it
15 is well documented, even in -- in major metropolitan
16 areas, the average time, if I remember this correctly, is
17 20 minutes that someone spends looking for a parking stall
18 in a city. That we don't even realize what we're doing,
19 trying to save a buck, going round and round in circles.
20 And if you add up, you know, the people's time, the energy
21 consumption, all those issues that -- that are eliminated
22 when you have a quick easy place to go park.

23 CHAIR TSAI: Commissioner Carnicelli.

24 COMMISSIONER CARNICELLI: And thank you for
25 that. Also, foot traffic to the beach. I personally

1 think that they should put daycares in senior centers. I
2 think there's a good match between the senior living and
3 the youth center. Is there going to be foot traffic going
4 that way or do you have to come down Baldwin and --

5 MR. SPEE: I apologize. I continued to use my
6 old PowerPoint presentation without putting in the latest
7 diagram. The latest diagram, there's two things that have
8 changed. One is, there's the retention basin that's gonna
9 be down here on site. So that's the overflow for, you
10 know, the 100-year storm. Most of the water will all be
11 retained on site underneath the parking lot. So what
12 there is, is there is a walking path and bike path that
13 will come down along this edge. This whole line along
14 here, what that is, is the power line easement. And
15 what's under that is the old railroad line that used to go
16 through there. And there's a natural berm between it and
17 the residential homes that are on that back side there.
18 And it is the logical place to put a walking path.

19 Now, the only thing that's gonna have to be done
20 is to get some sort of easement -- there's an electrical
21 substation right here -- some sort of easement to get that
22 next jump to Hana Highway, to the County parking lot and
23 to Hana Highway.

24 But you're absolutely right. And what I
25 envision, and this at least for myself -- I used to be on

1 the Paia Youth Center Board. In retirement, I would love
2 to get back involved in that. So the seniors, that
3 ability to get down to Hana Highway, cross it, get on
4 the -- the Paia -- the bikeway there, if they ever finish
5 the north shore greenway, that you literally -- the
6 seniors will be able to bike or walk to the Kaunoa Senior
7 Center and volunteer with the Paia Youth Center. So there
8 is that natural integration and access to the park.

9 CHAIR TSAI: Go ahead.

10 COMMISSIONER CARNICELLI: One last question is,
11 for the senior part of this, are you going to be applying
12 for any sort of federal monies as assistance, you know,
13 like any sort of federal money.

14 MR. SPEE: No.

15 COMMISSIONER CARNICELLI: And just a personal
16 note. I know this has nothing to do with what we're
17 making a decision on today. Is without the federal funds,
18 there is, say -- you can put more of a constraint on sales
19 to people that actually live and are from Maui. With
20 federal funds, you can't do that sort of discrimination,
21 but I'm just gonna say, as an aside, I would like to see
22 that. So, anyways, just -- I know it has nothing to do
23 with what we're doing today, just a personal note. That's
24 all.

25 MR. SPEE: Yes. It does come -- it will comply

1 with the affordability housing guidelines, which 25
2 percent have to be affordable. Now, how that makes this
3 set up is negotiating with the Department of Housing. And
4 that will evolve. But it's premature to go to that
5 process yet.

6 CHAIR TSAI: Thank you. Commissioner Canto.
7 Commissioner Canto.

8 COMMISSIONER CANTO: Thank you. I just have one
9 quick question regarding the senior housing design. You
10 had a graphic on there earlier. Yeah, that -- well -- the
11 one that looks very extravagant. Yeah, you went through
12 it. Was it Baldwin? Anyhow --

13 MR. SPEE: That's the commercial, is the
14 extravagant one. The senior is a little more benign.

15 COMMISSIONER CANTO: Okay.

16 MR. SPEE: These are the senior right here.

17 COMMISSIONER CANTO: Okay. Are your facilities
18 going underground as you proceed, should that occur?

19 MR. SPEE: Facilities being?

20 COMMISSIONER CANTO: Well, your power, your
21 electrical.

22 MR. SPEE: Everything on site will be
23 underground. And it raises a strange thing with the
24 Country Town Guidelines, that they actually state that
25 the -- the old power lines are -- are part of the country

1 town character. And it always amazes me that you wouldn't
2 want those buried. And I have a building on Baldwin
3 Avenue, and you look right out at the power lines. I
4 mean, the second story looks at the power lines. And
5 it's -- it's -- well, there, actually, isn't power on that
6 side of the street, it's telephone and -- and cable. But
7 there is the high power lines that come up the -- along
8 that electrical easement where the old railroad was. And
9 that has to stay. That's Maui electric's, you know,
10 bringing power into Paia town. But on site, everything
11 will be underground.

12 COMMISSIONER CANTO: Okay. Fine. Thank you.

13 CHAIR TSAI: I have a question, David. Which
14 buildings do you own in Paia town?

15 MR. SPEE: Right here is my building. And the
16 way this whole project started was talking to Alexander
17 and Baldwin, seeing the mini bypass, seeing the -- how it
18 had been broken off. And what we ended up doing was, is
19 because they were no longer gonna use it for cane land --
20 this is probably 10 years ago -- I don't even remember how
21 it all evolved, but, in the end, it was a consolidation
22 re-subdivision where we just moved the lot lines. They
23 had 355 acres, and I had 9,000 square feet. And they
24 consolidated the lot and created these two lots. That's
25 why my zoning is completely compliant in which is now this

1 big nine-acre lot. That little chunk down here is my
2 project that I built in 2000. And it's hard to believe,
3 but it was like 1996 when I started this process.

4 CHAIR TSAI: Okay.

5 MR. SPEE: Long time ago.

6 CHAIR TSAI: All right. Can I have Department's
7 recommendation?

8 MR. WOLLENHAUPT: Members of the Maui Planning
9 Commission, this project has followed all the rules and
10 regulations regarding review for a Community Plan
11 Amendment, District Boundary Amendment and Change in
12 Zoning, along with, to be continued, the Special
13 Management Area permit. That being the case, the question
14 for the -- either Chair or the Deputy Director in the
15 sense of we have three items to be voted on, DBA, CPA and
16 CIZ. Did you want to take each of them individually or
17 all in one?

18 CHAIR TSAI: Let's do one.

19 MR. WOLLENHAUPT: All in one, okay. The
20 recommendation of the Planning Department would be to
21 recommend -- forward a recommendation of a -- recommending
22 approval of this Community Plan Amendment, District
23 Boundary Amendment and Change in Zoning as outlined in the
24 recommendation part of the Staff Report. And then we'll
25 talk about the SMA subsequently.

1 CHAIR TSAI: Okay. So can I please have a
2 motion that would specify which you wanted covered?
3 Commissioner Hedani.

4 COMMISSIONER HEDANI: We're going to do it all
5 together?

6 CHAIR TSAI: Yeah.

7 COMMISSIONER HEDANI: I move to accept the
8 Department's recommendation for the CPA, DBA, CIZ and SM1.

9 CHAIR TSAI: Thank you.

10 VICE-CHAIR DUVAUCHELLE: Second.

11 COMMISSIONER HEDANI: It's only a
12 recommendation.

13 DEPUTY DIRECTOR McLEAN: Oh, recommendation.

14 CHAIR TSAI: Yeah.

15 MR. WOLLENHAUPT: For deferral of the SMA until
16 such --

17 COMMISSIONER HEDANI: Yeah.

18 CHAIR TSAI: Thank you. Got a motion.

19 COMMISSIONER CANTO: Second.

20 CHAIR TSAI: Second by Commissioner Canto.
21 Discussion. Commissioner Robinson.

22 COMMISSIONER ROBINSON: Mr. Hedani had a comment
23 regarding the structure and the height and all that. Is
24 that going to be part of a comment that's going to the
25 Council or is that just something that we talk about and

1 it's gonna be just in the minutes?

2 CHAIR TSAI: Well, Commissioner Robinson, would
3 you like to add that as amendment, a recommendation?

4 COMMISSIONER ROBINSON: No. I just want to know
5 how it works when we do comments. Otherwise, every
6 comment we make is an amendment or -- or is the --

7 MR. WOLLENHAUPT: There's -- there's a couple of
8 issues that I always like to bring up when we look at
9 these things.

10 COMMISSIONER ROBINSON: Five seconds.

11 MR. WOLLENHAUPT: Five second, that's hard for
12 me to do. When we look at DBAs, CIZs and CPAs, we're
13 looking at it really within the context of should a
14 project -- if you were to adopt these zoning conditions
15 with the zoning in place and with the urbanization in
16 place and with the Community Plan in place, what kind of a
17 project should you get. So the comments that you make,
18 putting them into conditions of zoning can become very
19 problematic. So -- so you can work with the -- work with
20 the applicant, but I -- I sometimes -- I really hesitate
21 to put conditions in zoning when the Zoning Code should be
22 controlling how the building project is to be built.

23 COMMISSIONER ROBINSON: Thank you.

24 CHAIR TSAI: Okay. So I guess we can wait until
25 when it comes back for SMA.

1 MR. WOLLENHAUPT: That's true, the SMA level.

2 CHAIR TSAI: Yeah, we can put a condition on it.
3 Okay. Any other discussion? Commissioner -- Commissioner
4 Hedani.

5 COMMISSIONER HEDANI: It's just a comment,
6 basically, that, you know, I congratulate him for -- for
7 hanging in there and sticking with this particular project
8 to this point. As he mentioned earlier, it's 20 years to
9 get to this point where he's finally at the point where
10 he's -- he's not out of the woods, he still has to go to
11 the Council, and ours is just a recommendation to the
12 Council for approval. But I think it complies with
13 everything that's in the Maui Island Plan. He started it
14 before the Maui Island Plan was even approved. And it
15 complies with everything that's in there.

16 On the issue of parking, I think we're looking
17 at over 300 stalls that he's delivering to Paia now. And
18 it is free to anybody that uses the facilities that are in
19 there. So I wholeheartedly support this project. I think
20 it's going to be a big plus.

21 CHAIR TSAI: Thank you. Commissioner Higashi.

22 COMMISSIONER HIGASHI: I think that this
23 particular project has been long overdue from the
24 standpoint that I think the applicant did a lot of work in
25 trying to get this thing moving. And I think what we

1 were -- we were trying to do is trying to expedite it so
2 that we can get this thing rolling. And I think we can
3 pull strings and try to get nitty gritty things, but I
4 think the big picture right now is to move it to the
5 County Council. So I recommend that we move on.

6 CHAIR TSAI: Okay. Commissioner Hedani.

7 COMMISSIONER HEDANI: I can't resist. You know,
8 the one thing that this project demonstrates is that --
9 and there's a little bit of controversy going on right now
10 with the community planning process. What this project
11 demonstrates is that once the community accepts a project,
12 accepts a plan, the Community Plan can be a vehicle for
13 reducing the 20 years that it took him to get to this
14 particular point. When the Community Plan is implemented
15 by the County Council through zoning and Change in Zoning
16 and urbanization, and all the other things that go with
17 it, it doesn't become a stumbling block, it becomes a
18 facilitator for moving the community in the direction it
19 wants to go.

20 CHAIR TSAI: Good point. Okay. Let's call for
21 a vote. Deputy, can you please repeat the motion?

22 DEPUTY DIRECTOR McLEAN: The motion is to
23 recommend approval to the County Council of the Community
24 Plan Amendment, District Boundary Amendment and Change in
25 Zoning, and to defer action on the Special Management Area

1 Use Permit.

2 CHAIR TSAI: Thank you. All in favor?

3 DEPUTY DIRECTOR McLEAN: Eight ayes.

4 CHAIR TSAI: Motion carries. Congratulations.

5 (Item concluded.)

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CERTIFICATE

I, TONYA MCDADE, Certified Court Reporter of the State of Hawaii, do hereby certify that the proceedings contained herein were taken by me in machine shorthand and thereafter was reduced to print by means of computer-aided transcription; and that the foregoing represents, to the best of my ability, a true and accurate transcript of the proceedings had in the foregoing matter.

I further certify that I am not an attorney nor an employee of any of the parties hereto, nor in any way concerned with the cause.

DATED this ___ day of December, 2016.

/s/ Tonya McDade

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