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**MAUI PLANNING COMMISSION  
PORTION OF REGULAR MINUTES  
ITEM C.1  
APRIL 9, 2019**

Ms. McLean: Thank you Chair. There are two public hearing items on the agenda today. The first is a request from Lahaina Cannery Retail Owner, L.P. for a Special Management Area Use Permit for the proposed Lahaina Cannery Expansion Phase 2 to include the addition of a fuel station, an 800 square foot convenience store, parking, landscaping and related improvements on approximately 16 acres located at 1221 Honoapiilani Highway in Lahaina at TMK: 4 5-011: 04. Paul Fasi is the project planner.

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**C. PUBLIC HEARING**

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- 1. LAHAINA CANNERY RETAIL OWNER L.P. requesting a Special Management Area Use Permit for the proposed Lahaina Cannery Expansion Phase 2 to include the addition of a fuel station, an 800 sq. ft. convenience store, parking, landscaping and related improvements on approximately 16 acres located at 1221 Honoapiilani Highway, Lahaina, Maui, Hawaii, TMK (2) 4-5-011:004 (SM1 2018/0007) (P. Fasi)**

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Mr. Paul Fasi: Good morning Commissioners, good morning members of the public. Today we will be reviewing the Special Management Area Permit request from Lahaina Cannery Retail Owner L.P. The Lahaina Cannery Retail Owner is proposing expansion of the Lahaina Cannery which they're calling Phase 2. I'm gonna go over the governmental regulations and how it relates to the County laws, State law and the applicant will do the details of the project.

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The parcel is owned in fee by the applicant. The project site's located within the limits of the County of Maui Special Management Area so therefore a Special Management Area Permit is required. There are three basic elements to this project, convenience store, fuel pad, and parking. The applicant will have a presentation and go over the details of the project.

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The description of the property is 15.5 acres, TMK: (2) 4-5-011: 004. It is in Lahaina, the Island of Maui. The State Land Use District is Urban. The Maui Island Plan is Urban Growth Boundary. It's outside of the protected area. West Maui Community Plan is Business/Commercial Open Space. The County Zoning is M-1, Light Industrial, A-1, Apartment District. It is in the Special Management Area.

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So the applicable regulations for reviewing an SMA application are found under 205A-26, Hawaii Revised Statutes, Special Management Area Guidelines and Section 12-202-12, Assessment and Determination Procedures of 202, Special Management Area Rules of the Maui Planning Commission and I say this just to get it on the record.

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In the Planning Department's analysis under the State Land Use the proposed project is in conformance with the goals, objectives and policies of the Hawaii State Plan. The subject property is in the State Urban District. In regards to the Countywide Policy Plan the proposed action is in keeping with the following Countywide Policy Plan Objectives Policies relating to land use, economic activity and urban design and there's many objectives, policies and guidelines that it does meet. For example, it will strengthen the local economy. It will promote sustainable land use and growth management and it will direct urban and rural growth to designated areas.

1  
2 The West Maui Community Plan in which it's located it supports the West Maui Goals, Objectives,  
3 and Policies for land use. The expansion of the Lahaina Cannery will be built on the same  
4 property in the area that is designated for business/commercial according to the West Maui  
5 Community Plan. There is substantial off street parking to accommodate the project.

6  
7 County Zoning is designated M-1, Light Industrial, A-1, Apartment District. The existing use of  
8 the property as used is in accordance with permitted uses under the M-1, Light Industrial District  
9 Zoning. We are for the request for the Special Management Area, Chapter 205, HRS, and the  
10 proposed project meets the Coastal Zone Management Program and Special Management Area  
11 Objectives and Policies as listed in Chapter 205A, HRS. And I will not go into each detail criteria.  
12 They are in the department report. So therefore the project supports the goals and objectives of  
13 Chapter 205, HRS.

14  
15 There was a Traffic Impact Analysis Report done in 10/18 and basically it summarizing all five  
16 intersections study are projected to operate at an acceptable level of service and the build out of  
17 the project will not require further mitigation of traffic management. The State Department of  
18 Transportation, Highways emailed me and they had no problem.

19  
20 The project was reviewed by the Maui Urban Design Review Board on January 15<sup>th</sup> and they did  
21 approve the design. That concludes the Department's governmental regulation analysis. If there  
22 aren't any questions I'm gonna turn it over to the applicant for the project presentation. And with  
23 us today is Jason Umamoto who is a landscape architect, Michael Wright who is the developer of  
24 the project, Jay Kerner representing the property owner or Jay may be the property owner, Jim  
25 Stone who is the architect, and of course the ever present Jeff Overton who is a planner with G70  
26 who is going to be giving the presentation. Thank you.

27  
28 Mr. Jeff Overton: Good morning. Thanks for the introduction Paul. Jeff Overton, I'm a planner  
29 with G70. We're architects, planners, civil engineers based in Honolulu and you were just  
30 introduced to the project team so I won't repeat that. Basically I've got a brief presentation and a  
31 couple of my colleagues will join me up here. You've also got a copy of the slides before you so  
32 hopefully you can follow along. It's a little better viewing to that. So thanks, we've been working  
33 on this for quite a while and of course, Lahaina Cannery is a fixture in the community, in West  
34 Maui, in Lahaina. Jim grew up in Lahaina as well. So we brought our ...(inaudible)...architect  
35 from Maui with this on this.

36  
37 What I'd like...Paul had covered some of the basics here. Of course, we're in the Urban District  
38 and Business Commercial use under the community plan. And existing uses in the neighborhood,  
39 shopping center. We've gone through a very extensive renovation that you may have seen. Much  
40 greater improvements. I'm gonna have Jay Kerner talk a little bit about those. What we're talking  
41 about is the area of the property that is unutilized. Lahaina Cannery is larger converted section  
42 that everybody's familiar with. It has been used for a shopping center in there, Safeway a major  
43 tenant in there, Longs on the other end and a variety of uses inside. We're talking in particular  
44 here in this application for the positioning of a fuel station here at the corner near the entrance by  
45 Keawe and Honoapiilani Highway and also conversion of a landscape element here which would  
46 improve parking directly accessible to the main part of the center. We've got some ground level

1 photos for you to look at that basically shows the entrance where the highway is here. A grassed  
2 area that adjoins Kahoma Stream flood channel in here. This is the position of the proposed fuel  
3 station and convenience store in this paved area right inside the entrance, and then this is along  
4 Front Street picture of the Safeway entrance. This is that landscaped field in the front of the area,  
5 the highway in the background that would be converted for the parking and so other site photos  
6 nearby.

7  
8 We have...the project is really outside of any of the flood risk areas in here. You can see the two  
9 areas that are outlined here on the flood map. So the proposed improvements here include eight  
10 fill stations. You've seen these stations where we have the efficiencies of multiple fuel positions  
11 here and it helps some economy pricing and availability here, 16 fuel positions in the total of the  
12 site, approximately 36,000 square feet. There's a small convenience store, 800 square feet that's  
13 planned on this and some improvements of the entry driveway to help the flow of traffic. Our total  
14 parking for the entire complex at 638 spaces and then corresponding improvements to the  
15 drainage and infrastructure and landscaping and Jason will speak with the landscaping.

16  
17 This is our site plan overlaid on the aerial so the highway and the intersection here that's  
18 signalized and of course, the end of the bypass here which is now functioning well. The position  
19 of the fuel station is right there with the overhead canopies in this section, the convenience store  
20 here. This is the space that's gonna be converted for parking. So the vehicles would follow the  
21 normal pattern of access and egress to the property through the existing driveway and the  
22 signalized intersection and then turn in and the flow is through the center and then out.

23  
24 We had some very good comments from UDRB in our January presentation. In particular, they  
25 asked us to pay attention to the layout to improve the flow of traffic in here. Originally we had  
26 basically three pods. They were stacked with three fuel positions...three pumps deep, three  
27 stacks of pumps and they said you know, that's not an efficient layout. It's gonna cause some  
28 back up, back up in here. So we switched this out to two deep, basically 16 fuel positions in total,  
29 but this now allows for queuing in all these areas. The idea is you want to get the cars out of the  
30 flow of traffic and into the station and have this basically be the waiting area for vehicles if the car  
31 in front has finished fueling, this guy's still fueling, you'll be able to pass and enter the pump and  
32 access that way. So it works really well.

33  
34 The convenience store is at the upper portion and flow works well to avoid any kind of backup  
35 that might occur at the intersection. I've got Jim Stone here. He's gonna talk a little bit about the  
36 convenience store elements and the architecture.

37  
38 Mr. Jim Stone: Thank you Jeff. Jim Stone, architect, G70. This is a pretty standard convenience  
39 store. We've all probably visited those where you can walk in and get a soda and some local  
40 drinks and things like that. It's only 800 square feet. It would have the, you know the standard  
41 ice and other type of things with accessible parking and so on with its own trash enclosure over  
42 here.

43  
44 One of the things that the Urban Design Review asked us to do is look at the design of the canopy  
45 as well as the Q Store to make it appropriate for Lahaina. As you know it has a rich plantation  
46 and whaling heritage there. We also have probably seen Safeway fueling stations in our travels.

1 They do have a standard. We were successfully through Jay and Mike able to ask them to modify  
2 their standard one to bring in some very specific Cannery elements such as the metal siding as  
3 well as decorative metal slats and use a color palette that with trim and other types of treatment  
4 such as board and batten and so on to decrease the scale of this and make it more appropriate  
5 for the Cannery in Lahaina. We also successfully asked them to break it up. Sometimes they do  
6 a canopy all the way across and by breaking it into two separate canopies it decreases the visual  
7 mass. We also asked them to decrease the height of the canopy here to decrease that also. So  
8 they were very sensitive to the needs of Lahaina as a Historic District. This would be a rendering  
9 to kind of show how this canopy would work with some of the colors. As you know, the mall uses  
10 Cannery grays and other ...(inaudible)...types of accent colors and you can see how the slot in  
11 the middle allows more light and breaks up the mass here. You can also see how we've gone to  
12 the Q Store, the convenience store and used the metal siding, the grays and some of the colors  
13 that we're accustomed to on the historic Cannery building and so successfully addressed the  
14 Urban Design comments to make this a more appropriate for the mall as well as driving by.  
15 Another view of the split canopy. And Jason, you can come up and talk about the landscape  
16 elements we're employing here.

17  
18 Mr. Jason Umemoto: Thanks Jim. I'm Jason Umemoto, landscape architect for the team. You  
19 know, in general, the landscape wants to fit with the character that's already existing there. So  
20 the Monkeypods along the highway, the Queen Palms along the entryway with the Hibiscus would  
21 continue to be a main feature of this. One thing I wanted to point out and it was pointed at the  
22 Urban Design Review is, you know, we'll make sure that any new plants feature natives and we'll  
23 definitely use those in the landscape. Where it's not possible they'll always be noninvasive. We'll  
24 check them against the Hawaii Weed Risk Assessment and Plant Pono Research Site to make  
25 sure that they're all consistent with that. But ultimately, the functionality of the station and all that  
26 we'll be using it to beautify the area, screen what's necessary and be consistent with the entire  
27 project. I think that's it.

28  
29 Mr. Overton: In terms of the –

30  
31 Mr. Carnicelli: Identify yourself again please?

32  
33 Mr. Overton: Jeff Overton, planner at G70. So our drainage concept...(inaudible)...important  
34 that we manage our runoff properly and we're actually working with our civil engineers on low  
35 impact development aspects that we integrate with the property so that means rain gardens in  
36 areas where you use your large grassed areas to slow down, detain the runoff, have the silt come  
37 out of it, storm water detention to avoid any kind of flooding or runoff issues and the best  
38 management practices, the BMPs for these infiltration trenches, bioretention, rain gardens and  
39 biofiltration. I'm gonna have Jay Kerner come up and provide some remarks about the project.

40  
41 Mr. Jay Kerner: thank you Jeff. Good morning Mr. Chairperson, Commissioners, thanks for  
42 hearing us this morning in our application for Lahaina Cannery Mall and I want to thank  
43 Director McLean and Mr. Fasi for all their help and guidance through our process here.

44  
45 Mr. Carnicelli: Identify yourself please.

46

1 Mr. Kerner: Oh, I'm sorry. I'm Jay Kerner, Lahaina Cannery Retail owner. We're the owners of  
2 the Lahaina Cannery which we purchased in the middle of 2016. I'd like to thank everybody who's  
3 been involved in the process here. We've done a lot of community outreach and we've gotten a  
4 lot of good input, a lot of support and you know, as with the first phase of our project where we  
5 expanded the Safeway and renovated the exterior and the hardscape and landscape we've been  
6 very active with the community in trying to take all consideration in order to be a good neighbor.

7  
8 So with respect to this aspect, you know when we went to Urban Design Review Board they had  
9 some excellent comments with respect to circulation, with respect to landscape, architectural  
10 design and other features including access to the fuel station and so we've taken all of those  
11 comments into consideration and we really appreciate you know the community's support. Any  
12 questions I can answer at this time?

13  
14 Mr. Carnicelli: Let's finish the presentation and then we...(inaudible)...

15  
16 Mr. Kerner: Thank you all very much.

17  
18 Mr. Carnicelli: Thanks Jim.

19  
20 Mr. Overton: Thank you Jay. So that concludes our presentation and we'd be glad to respond to  
21 questions from the team.

22  
23 Mr. Carnicelli: Thank you. So at this time we'll go ahead and open up the floor for public  
24 testimony. And just so everybody knows, you get three minutes and at three minutes Carolyn will  
25 say three minutes and we need for you to stop. It's not that we want to cut you off. We want to  
26 hear what you have to say but obviously with a full house we've got a lot of people that have a lot  
27 of things to say so you get three minutes and three minutes only. The Commission may ask your  
28 questions to clarify your testimony. Oftentimes people have more to say and they say, oh please  
29 ask me a question so that I can continue on. That's not what the questions are for. The questions  
30 from the commission are to clarify what you've already stated on the record. With that being said,  
31 please stay on the topic. We're here for an SMA Permit so please speak to that. And with that  
32 being said, the first person that signed up was Arleen Gerbig. Is Arlene here? Hi Arlene, please  
33 state your name and I will ask you if you will be truthful.

34  
35 Mr. Arleen Gerbig: My name is Arleen Gerbig.

36  
37 Mr. Carnicelli: Okay, Arlene will you be truthful?

38  
39 Mr. Gerbig: Of course.

40  
41 Mr. Carnicelli: You have three minutes.

42  
43 Ms. Gerbig: Okay, thank you very much. As I said my name is Arleen Gerbig. I am President of  
44 the Lahaina Honolua Senior Citizens Club. We are here to testify in support of Lahaina Cannery  
45 Mall plans to add a new fuel station, a convenience store and additional parking. Over the past  
46 couple of years our organization and I have been invited to meet with the Lahaina Cannery Mall

1 team to review their renovation plans and to provide our input. They have also attended our  
2 meetings to make presentations.

3  
4 Throughout the process they have carefully considered our ideas and we're beginning to see the  
5 results. The newly expanded Safeway is exciting and I shop there maybe twice a week. We were  
6 also pleased to hear that a well-known national breakfast chain may be opening at the Cannery  
7 Mall. The community will undoubtedly embrace this exciting new restaurant option and I'm sure  
8 the seniors would love it.

9  
10 In addition, it is our understanding that the station will offer low cost of gas and that will help  
11 drivers on the west side especially the seniors who are on fixed incomes. West Maui residents  
12 have typically have always had to travel long and the discounting fuel options are a welcome  
13 service to the west side.

14  
15 I'm especially grateful for the new plans that include an expansion of the parking area since I  
16 sometimes find it very challenging to find a parking space near Safeway. Safeway has now  
17 become very, very popular. I used to go shopping at like seven o'clock in the morning and easily  
18 I could find a parking space right there in the front. But now it's so overloaded with cars that I  
19 have to park beyond the road, the middle road. So anyway, I'm glad that they're going to do an  
20 increase.

21  
22 We urge the Planning Commission to recommend approval of Lahaina Cannery Mall's application.  
23 Thank you very much.

24  
25 Mr. Carnicelli: Thank you Arleen. Mr. Overton do you have any questions for her? Okay.  
26 Commission any need to clarify her testimony? Seeing none, thank you very much.  
27 Carl Offenbach, and I apologize guys if I'm gonna butcher your names. Please correct me when  
28 you get up if I butcher your name along the way here. Carl do you promise to tell the truth?

29  
30 Mr. Carl Offenbach: The whole truth, nothing but the truth.

31  
32 Mr. Carnicelli: State you name and you have three minutes.

33  
34 Mr. Offenbach: Carl Offenbach. Anyway I'm opposed to the Cannery. There's things that aren't  
35 coming forth. You got a big bottleneck in the works as far as traffic with the Lahaina Bypass. The  
36 Cannery is being used as a shortcut. I use the expression road rage starts here and that's at the  
37 Cannery. Kapunakea Street isn't being addressed at all. You had more parking for handicap  
38 when they originally finished suddenly half of it's gone. You got four spots that's it. That's not  
39 enough. I don't know what the County Code says for requirement. You put in a parking garage  
40 they're not gonna be getting the baskets fast enough. It's gonna wind up to be like a crime  
41 magnet, people coming in, breaking into cars. I live across the street. I have problems sometimes  
42 parking in front of my own house because sometimes people come to the Cannery or go visit the  
43 other property on the ocean side which has the same owner, yeah. I'm a little nervous, sorry.

44  
45 As far as your community plan goes there's a whole lot of issues with other businesses and it has  
46 to do with the bypass across the highway 'cause it's basically dead ended there so it's just gonna

1 choke things. Things are gonna be built up more and using that bypass even more once they  
2 start building houses and putting in new businesses so that needs to be taken into account. This  
3 can't go by a study for traffic that was done in October during the slow time. It's not right. Same  
4 thing applied when the Cannery went to expand the last time somewhere around ten years ago  
5 or something like that and you still have the same issues nothing's been corrected. You need  
6 another lane basically on the highway when they built the shopping center across the street they  
7 wanted to put in a new lane but the owners didn't want to give up the land or sell it so the County  
8 just say okay, but I mean, you're gonna have a lot of traffic accidents. I don't know how many  
9 deaths will occur in the future but it's nasty. You have problems with the businesses across the  
10 street already because of the bypass and to cram more traffic and slow it down at the light, you're  
11 gonna need more lights to go in at where the bypass is. There's accidents that happen almost  
12 every day. It's ridiculous. You don't even have, you know, bike racks at the Cannery, you know  
13 and this is a new project. You got slabs that are cracking and they're not going to get replaced.  
14 The whole thing's just gonna get driven down into the ground because that's the nature of what  
15 businesses do. They get a hold of something, something gets approved, they build, then they  
16 drive it into the ground.

17

18 Ms. Takayama-Corden: Three minutes.

19

20 Mr. Carnicelli: Thank you Carl.

21

22 Mr. Offenbach: Your food court it's shot. Most of it went out of business.

23

24 Mr. Carnicelli: Thank you for your testimony. Mr. Overton, do you have any questions for Carl?

25

26 Mr. Overton: No questions.

27

28 Mr. Carnicelli: Commission any need to testify or to clarify the testifier's comments? Nope?  
29 Thank you Carl.

30

31 Mr. Offenbach: Okay, I got a long list.

32

33 Mr. Carnicelli: Would anybody else like to testify on this item? Seeing none, then without  
34 objections we will close public testimony. Public testimony is now closed. So Commission I think  
35 what I would like to do is continue the practice that Commissioner Hudson did and that is we'll go  
36 around to everybody, you get two or three questions, we'll go to the next person and we'll do two  
37 or three rounds based on you know how many questions that have and that way everybody kinda  
38 gets a bite at the apple and we're not kinda all over the map. So either questions for Mr. Fasi or  
39 for the applicant. At this point in time I'll start with you Commissioner Hudson.

40

41 Mr. Hudson: No questions at this time Chair.

42

43 Mr. Carnicelli: Thank you. Kahu Hill.

44

45 Kahu Hill: Mahalo Chair. I do have a couple questions. Report indicated that SHPD stated that  
46 no further work is necessary for Site 0678 and 8012. I only see the 2006 letter from SHPD

1 regarding the preservation area described in Exhibit 19 for the iwi kupuna and I just wanted to  
2 know is there SHPD documentation from 2016 regarding the site 6078 and 8012 in the report. I  
3 just cannot see it.

4  
5 Mr. Overton: Thanks. Jeff Overton, planner with G70. Thanks for your question Kahu. So you're  
6 referring primarily to the site that will be preserved.

7  
8 Kahu Hill: Yes.

9  
10 Mr. Overton: As per the preservation plan that was approved by SHPD previously. So there's no  
11 more recent correspondence from SHPD on this other than we've expressed willingness to  
12 continue forward with the preservation plan which was not implemented previously. It will be  
13 implemented now. So this basically takes a preserve that has iwi preserved at the location per  
14 the Burial Counsel's guidance and we want to go ahead and expand per their recommendations  
15 to broaden the landscape area and low fence kind of enclosure so that it's more appropriately  
16 protected and respected here in the future. So those actions would be undertaken consistent with  
17 the preservation plan and if necessary we'd go back before the Burial Counsel to review that  
18 again just to make sure everything is implemented properly. If necessary SHPD could comment.  
19 We made all the materials available to SHPD through the process. There was no further comment  
20 from them that we had received. I know they're very business with all their activities so we're  
21 basically just saying yes we'll do it and we commit to it now under this. Does that answer your  
22 question?

23  
24 Kahu Hill: It does. I'm still missing those documents that I don't see but I do hear you and just  
25 so on you, you have the...(inaudible)...

26  
27 Mr. Overton: Eric Fredericksen was the archaeologist for it and we have the materials. It was a  
28 final report that was accepted by SHPD at that time and just the...you know the ownership had  
29 changed so we just received all that and then presented it properly with the SMA assessment and  
30 then the application and SHPD chose not to make any further comments on it. So I can get you  
31 any of the historic letters if you'd like--

32  
33 Kahu Hill: I would like that.

34  
35 Mr. Overton: --copies of that.

36  
37 Kahu Hill: Yes.

38  
39 Mr. Overton: Okay, let's make sure we follow up with that.

40  
41 Kahu Hill: And just one other question about the archaeological monitoring. I just want to know  
42 are you going to have each piece of equipment have a archaeologist as you're developing.

43  
44 Mr. Overton: Yes as we...because of any kind of subsurface activity there's foundations that's  
45 required of course for the pumps, the tanks for the fuel storage as well as the foundation for the  
46 convenience store. So any kind of subsurface disturbance would require the monitoring of that.



1 For other types of site work this not, we probably aren't required to but we would follow the, again,  
2 the requirements of the preservation plan and have the active monitoring throughout the  
3 construction.

4  
5 Kahu Hill: And one more Chair?

6  
7 Mr. Carnicelli: Go.

8  
9 Kahu Hill: I just wanted to hear what the other testifier said about the handicaps. So you have  
10 thought about that if there need to be any other handicap area?

11  
12 Mr. Overton: Well absolutely. I don't think a building permit can be issued if we're not meeting  
13 ADA requirements for the building in there so that all of our spaces have to meet the minimum  
14 requirements for these special parking spaces to deal with ADA requirements. It's very strict  
15 Federal Laws that are being mandated and carried forward with the County. So Jim, we worked  
16 through this in our plan and provided appropriate ADA spaces at each of the locations.

17  
18 Kahu Hill: Mahalo.

19  
20 Mr. Carnicelli: Commissioner Pali.

21  
22 Ms. Pali: Hi, good morning.

23  
24 Mr. Overton: Good morning.

25  
26 Ms. Pali: Just a couple questions here. Did you folks do any kind of study or collect data on the  
27 need for a third gas station? I understand that there's one across the street in the...right across  
28 directly from Safeway and there's also a newer one that's across the street up to the right. So I  
29 guess this would be a third on in a very, very walking distance close vicinity. So there was no  
30 data done to state that there was a need in the community for an additional gas station. And then  
31 follow up question to that was is your station going to be offering services that maybe the other  
32 two don't offer?

33  
34 Mr. Overton: I'm gonna ask the owner's representative to respond to that better. I know Safeway  
35 would not be building a gas station there unless they felt their market capture. So we were not  
36 responsible for the market studies but maybe Jay you'd like to respond to that?

37  
38 Mr. Kerner: Hi, Jay Kerner, Lahaina Cannery Retail owner. So with respect to gas demand so  
39 Safeway did studies on their own. They did not share them directly with us, but that proved that  
40 from their standpoint that there was real need and especially for a low priced gas option for the  
41 community and it really...you know our view and Safeway's view is that really does more serve  
42 the local community as opposed to necessarily tourists which it helps too, but I mean given the  
43 distance from there to the airport, it's more about the local residents and a good fuel option. And  
44 the cobranding between the Safeway Store itself and you know, couponing and offering discounts  
45 you know in order to get people who are getting gas to come in the store, they often offer  
46 discounts. Does that answer your question?

1  
2 Ms. Pali: So is that part of...the testifier earlier mentioned potential discounted gas was that kind  
3 of part of the assumption is that this gas price would be discounted and so that could potentially  
4 be additional service that maybe the others aren't offering?

5  
6 Mr. Kerner: That's correct.

7  
8 Ms. Pali: Okay.

9  
10 Mr. Kerner: Yeah, so they...it will be low price point and you know there's a affinity type programs  
11 that Safeway offers where you get a discount off even their normal low price.

12  
13 Ms. Pali: I think you do similar in the Kihei Safeway kind of...they have gas station...(inaudible)...

14  
15 Mr. Kerner: Yes, exactly, exactly.

16  
17 Ms. Pali: Okay. It's just I guess I'm a little cautious because what we've seen weren't being  
18 raising here is we'll see even mom and pops and then the big brand, and the mom and pops close  
19 down because the big brands have kind of taken a lot of that and so we just want to make sure  
20 that we're conscious and there's a balance there. I have one more quick question.

21  
22 Mr. Kerner: Yes, and I have just one other comment I'd like to make in that regard is that, you  
23 know, this station all that it offers is gas and then it has a very small convenience store. They  
24 don't offer any service, any car washes, any of the other type of ancillary things that many of the  
25 other station offer.

26  
27 Ms. Pali: Okay, and then last question is what is your comment or feedback on the congestion  
28 because I am enjoying when I go to see my dad guys and I'm coming through the new bypass  
29 and it does have a dead end right at the main traffic which is going to be the corner of where this  
30 is going to be built, what are you doing to mitigate further traffic congestion because if they do  
31 want discounted gas before they go home then they're gonna be going straight through the light  
32 and you know back up and things like that?

33  
34 Mr. Kerner: Yes, so our studies of traffic showed that the operation of that intersection itself is  
35 definitely in acceptable...it meets all the acceptability standards and with respect to when you  
36 come into the shopping center that we have done everything that we could design-wise so that  
37 cars will not get backed up and congested and so that starts with the relocation of the pumps  
38 forward, spreading them out wide instead of deep and allowing for sufficient stacking so that they  
39 won't stack up into the drive and back up into the highway. That was a consideration for DOT  
40 also for the various community groups that we met with as well as Urban Design Review Board.  
41 So we've taken those things into account.

42  
43 Mr. Carnicelli: Commissioner Robinson.

44  
45 Mr. Robinson: Chair so what's the rules, it's do I have to ask a question or I lose my turn or I can  
46 ask a question later?

1  
2 Mr. Carnicelli: Well there's no rules.

3  
4 Mr. Robinson: Okay.

5  
6 Mr. Carnicelli: We're just gonna use practice which is we're gonna do two or three rounds. We'll  
7 do two rounds for sure. If people still have questions we'll do three rounds.

8  
9 Mr. Robinson: I'll pass on the first round.

10  
11 Mr. Carnicelli: Okay. Commissioner La Costa.

12  
13 Ms. La Costa: Thank you Chair. Yes, either architect or owner, either one. So I would like to  
14 add to what Commissioner Pali said. Is it correct that you are not going to do any changes to the  
15 current road?

16  
17 Mr. Overton: The improvements that were made to the state facility were designed for the flow of  
18 traffic with the bypass. I realize there was an adjacent phase when it came in and the traffic was  
19 first loaded. The one activity that could be pursued should mitigation be needed. Right now the  
20 models don't show it would be some modification to the left-turn traffic travel lane, the signal timing  
21 for that could be one of the fine tuning mechanisms that the traffic engineers when we spoke with  
22 DOT they said that's always a possibility downstream to help improve a balance to this. So they're  
23 always trying to make the flow perfect after time sets in. But right now they're not saying that any  
24 adjustments are needed.

25  
26 Ms. La Costa: Okay, being a west side resident I have seen more than my share of people try to  
27 squeeze by on to make a right-hand turn. Rear end accidents, running into the trees because  
28 they're in a hurry because that is just not wide enough. If you add more traffic in and out of that  
29 intersection then I think you're gonna see a preponderance of more accidents and more people  
30 in a hurry. So that is my first concern is that that roadway needs to have some kind of  
31 improvements so that either the right-hand turn lane is longer or there is some kind of striping so  
32 that people don't have those accidents and traffic backing up.

33  
34 Mr. Overton: And just if I could add, we did make sure that both the County and the State  
35 Transportations Agencies had a chance to review both the SMA Assessment and then the SMA  
36 application. We've had comments from them that weren't specific to that but we've addressed  
37 comments to date on that. Most recently DOT hasn't raised those. So I think you've raised some  
38 good points. Thanks for sharing that and I think we'll have to take that into consideration going  
39 forward.

40  
41 Ms. La Costa: When you don't drive it every day then you don't have that experience and don't  
42 have that information. So my second question is about removing the green area and adding more  
43 parking and while it's true there does need to be more parking there I see families sitting there.  
44 They go to Safeway and get lunch or they go to Starbucks and there also is a fair there so if you  
45 take away some green space that adds really to I think the ambience of the mall and add more  
46 parking then all you're gonna have for green space is what's along the highway and what's on the

1 other side of the exit road. So that's a concern of mine because I think we need to have that  
2 Hawaiiana feel of greenery and I'll ask the other questions next time.

3  
4 Mr. Overton: And I don't know if Jay or Mike you wanted to respond on that point.

5  
6 Mr. Kerner: Hi, Jay Kerner again. I'd like to speak to your first question regarding improvements  
7 at the actual entry to the shopping center and recently a few months ago, I'm not sure if it was the  
8 State or the County Transportation folks came in and widened the apron at the entry to the  
9 shopping center and onto our property and that was also combined with the traffic signal, the new  
10 traffic signals that were out in as part of the whole bypass. So that area is a little bit wider than it  
11 used to be so that it's more conducive to traffic flow.

12  
13 Ms. La Costa: Thank you.

14  
15 Mr. Carnicelli: Commissioner Castro?

16  
17 Mr. Castro: Yes, I have a question. How many fuel tanks are going to be installed?

18  
19 Mr. Overton: Okay, that's a question I can't answer other than I don't know. I don't have that  
20 answer for you technically. I know we have different fuel types that come in usually there's three  
21 that work. So I know they've gotta support those but I don't have the technical specs here for the  
22 installation of the fuel tanks.

23  
24 Mr. Castro: One more question. In regards to the drainage, I have some concerns. About 20 plus  
25 years ago the car rental place we had a bad storm and the fuel surfaced up and as they were  
26 returning the cars it caught fire. Okay, it was a good explosion. So I'm concerned about that  
27 that's gonna be a lot of cars. This was only one fuel pump, now we're talking multiple pumps so  
28 I have concern with that.

29  
30 Mr. Overton: I have familiarity with these types of facilities. The standards now are so rigorous  
31 for these tanks in terms of liners and double liners and monitoring that things that we experienced  
32 10, 15, 20 years ago can't happen with the current technology. They're just very careful about  
33 how these stations are set up. Department of Health regulates these through their hazardous  
34 environmental risk groups. So we have to meet all those standards. It all has to be licensed and  
35 inspected properly but you raise a very good question and we want to be sure that that sort of  
36 thing doesn't happen.

37  
38 Mr. Castro: Yeah, I'm really concerned about that because the fuel rises and any hot muffler is  
39 gonna set it off.

40  
41 Mr. Overton: Okay, thanks for that.

42  
43 Mr. Castro: Thank you.

44  
45 Mr. Carnicelli: Commissioner Tackett.

1 Mr. Tackett: Good morning. My question is when you look at the placement it's kind of by the  
2 river. It's on the ocean side of the road and then weighing in with what people that have lived  
3 there before me have seen when these big storms come in and seems like we've had more than  
4 lately what have studies said about the chances of that affecting our ocean, affecting the stream  
5 'cause it is kinda close to both of those two things?  
6

7 Mr. Overton: Well, again thanks for those detailed questions. I'm gonna rely on the experts that  
8 have to implement both the Federal and State regulations for how these facilities operate. The  
9 position of this is actually more distant than other fuel stations that exist in Lahaina presently.  
10 We're gonna have to follow the strictest regulations that are there for these containment facilities.  
11 And again the technology has improved dramatically over what we've experienced in the past.  
12 And I heard what Commissioner Castro had said and I think decades ago those, those sorts of  
13 things may have occurred. They really can't with the way these facilities are lined. They have  
14 monitoring systems that detect any kind of leakage. They have secondary protection containment  
15 so that it would not be released to Kahoma...the flood channel there or of course the ocean  
16 downstream. All of that has to be contained properly within these systems, but I appreciate your  
17 concern and we have to meet all those very strict rules that are both Federal and State regulated  
18 to manage this system. I hope that answers your question.  
19

20 Mr. Tackett: I got one other question. Do you know, do you know how many gas stations are in  
21 Lahaina Town?  
22

23 Mr. Overton: I don't have the exact number. I think the number was three but I don't know exactly.  
24

25 Mr. Tackett: I think it's about five.  
26

27 Ms. La Costa: There are five. There are five with conveniences.  
28

29 Mr. Overton: When we had discussions with the community and Shane Peters was out speaking  
30 a lot with the folks in the community one of the concerns was the potential impact on the smaller  
31 gas stations that are in town that are a part of the community today and again, this won't be a  
32 service station, it won't be a carwash. It's really intended to benefit the community through as  
33 Jay had mentioned the discounted gas that allows a convenience for the folks in the community  
34 and that shouldn't have a negative impact on those stations that have the legacy in the community  
35 contact or the full service operations that you see in Lahaina today.  
36

37 Mr. Tackett: So just so I understand it I don't do gas stations myself, but I always kinda thought  
38 that gas stations offer the amenities to get the people in so that they could sell them their gas and  
39 I always thought that the gasoline was the driving factor financially. If one has a convenience  
40 store and the other one doesn't maybe someone comes in they make the money off the gas and  
41 they make a little bit of money off of the accessories. So what I'm worried about is if you're saying  
42 that it's because you have the lowest prices of gas and you're saying the other people are gonna  
43 be going for these accessory uses which might not be the financial driving factor of what keeps  
44 their gas station alive it to me is that correct? I believe most gas stations survive off of the fuel  
45 sales is that not correct?  
46

1 Mr. Overton: So I have Shane Peters here and I think he'd like to respond to the question.

2

3 Mr. Tackett: Thank you.

4

5 Mr. Shane Peters: Shane Peters. I'm also a consultant for the developer and landowner here.  
6 So it's actually the inverse. The business model is that typically gas stations you almost never  
7 see standalone gas stations without any amenities and the reason is because actually the gas  
8 stations themselves, the gasoline provides just a small portion of a typical businesses revenue.  
9 The vast majority of service stations are or fueling stations are attached to either a convenience  
10 store or to a full mechanic service type of facility and I've represented Chevron and other  
11 companies in the past. The revenue driver is actually the in-store sales if it's a convenience store  
12 or for the mechanic service and the fueling options are actually they're just sort of an amenity and  
13 that's just supplementary typically.

14

15 Mr. Carnicelli: Good?

16

17 Mr. Tackett: Yeah. Thank you for your answer.

18

19 Mr. Carnicelli: Commissioner Gomes.

20

21 Ms. Gomes: Thank you. That kind of goes back, I'm sorry the gentleman that was just here I'm  
22 gonna piggyback on some of my colleague's questions. Commissioner Pali as well as our new  
23 Vice-Chair Tackett in regards to the gas station issue. First of all, in regards to having the number  
24 of gas stations in the west side, how many you have in such close proximity. You mentioned the  
25 fact that the gas stations are...you don't see standalone gas stations without some type of  
26 convenience store or some type of service somewhat attached to it that is pretty rare. If that's the  
27 case then there's Safeway, right? And if Safeway's there then why the convenience store, that's  
28 one.

29

30 Mr. Peters: So again, it's the same sort of model that any of these sorts of businesses use which  
31 is that gasoline typically helps to drive traffic and foot traffic and business to their core business,  
32 in this particular case Safeway. And for Safeway this is sort of ties into not only their proposed  
33 800-square foot convenience store but possibly to the larger store as a whole as well.

34

35 Ms. Gomes: But again we're coming back to price point, right. So we talk about price point.  
36 Commissioner Pali, my colleague had brought up the fact of mom and pop stores. We see a lot  
37 of them disappearing because of big brand names or you know we love Costco a lot just naming  
38 one, right. We don't wanna go anyplace else to buy gas, example, we'll stand in line there forever  
39 just to get five cents off, ten cents off, whatever. Just that little bit and yet we could have saved  
40 money going to Maui Oil or some other place, right. But example of that thinking about it, it's a  
41 little bit contradictorial to what is being stated because we think about price point, right, but then  
42 we thinking also about the fact that there is gonna be convolute...convoluted traffic at some point.  
43 There's gonna be issues of that. They are gonna give a problem to the other gas stations, mom  
44 and pops, the small ones who do have possible convenience stores as well attached to them  
45 because they're gonna go after Safeway's one and not in exactly understanding you know, I can

1 get what is being done, but I'm also listening to my other colleagues and the answers are not  
2 matching up as well.

3  
4 Mr. Peters: Perhaps I can clarify. You know, just to be perfectly honest, you know what's really  
5 great is that you know Jay Kerner and the landowner team met with the administration and a  
6 bunch of the community members. I think what we do know is this, is that this is very different  
7 than Costco. Costco offers things like tire services, like a bunch of ancillary related services  
8 specifically or automobile maintenance and other things, batteries, ...(inaudible)...types of things.  
9 This is purely a fueling station and a convenience store. What we do know is a lot of those mom  
10 and pops particularly in those in Lahaina Town itself their bread and butter, their core business is  
11 repairing folk's cars. That is people go in there for their safety checks or automobile repair, oil  
12 changes, tire changes, all of the usual stuff that goes into maintaining and continuing to have a  
13 vehicle. There are no other services that will compete with that that we are proposing. The core  
14 business is just for those, for those mom and pops will continue to be a vital part of the community  
15 and something quite frankly that the community will continue to need. So where you see sort of  
16 Costco competing at that sort of level in terms of the services and the ancillary services that are  
17 related you will not see that here with Safeway.

18  
19 Ms. Gomes: Just Chair, I'm sorry, I can see your point what you're saying. We can't compare  
20 Costco to Safeway in any way, shape or form. I used to drive out to Lahaina quite often so I know  
21 that, you know, gas stations were needed if anything there is one that's needed in Olowalu if  
22 anything. If anything, if there's a place that needs one that's the spot. I do think that there needs  
23 to be a little bit more data on this. I'm a little bit concerned in regards to...we're talking about  
24 mechanics and all that, these people...the families out there I mean I used to have them as being  
25 a teacher having these families they all work out there, they all very connected. The west side is  
26 very special. The families are very special and you have one, you have them all. So is there  
27 anybody, I mean I'm hoping there's some other...nobody else testified here in regards to actually  
28 being an owner of a mom and pops or store type of...I don't think so or any testimony that had  
29 come in, but I just want to state that you know I do have some concerns in regards to this.

30  
31 Mr. Overton: We appreciate that and we agree you know West Maui is a very special place and  
32 you know the last thing we'd want to do is impact area businesses for sure. And just I'll leave you  
33 with this one sort of bit of information that might here is that, you know, we actively reached out  
34 to area businesses and that's why you've received testimony in support from the Lahaina Town  
35 Action Committee and from West Maui Taxpayers Association those who represent area  
36 businesses and I think that helps to provide some of the perspective in terms of any concerns  
37 about competition. So thank you, I appreciate it.

38  
39 Ms. Gomes: Thank you.

40  
41 Mr. Carnicelli: Thank you. Jeff, just in the interest of I'm gonna just ask a couple requests and  
42 then I direct question. So one request is for our landscape engineer when you're going to in the  
43 native plants on that corner consider view plains, you know try not to make them too high or  
44 whatever it is and I think that's gonna be appropriate for traffic, pedestrians, things like that. So  
45 that's just one request.

46

1 The other request for you Jeff is what Commissioner La Costa brought up with removing that  
2 grassy area in front. That was the first thing that jumped out at me, I was going okay, if you have  
3 to have that for parking I understand but you can still request you know like, you know an  
4 exception. So I don't know if you have to have it or not but, you know, my request would be can  
5 we keep that 'cause I think that's a benefit to the community. I know I've been to the Cannery  
6 you know thousands of times and I've never seen the parking lot full, so anyways that's just a  
7 request.

8  
9 Then my question is the reality of that intersection and our traffic is access from the Honoapiilani  
10 to Front Street. Traffic studies are talking about okay, ingress, egress, Keawe Street and then  
11 left, right out of the Cannery. But the reality is when you come to Keawe Street or here at that  
12 gas station if you're gonna go to Front Street you gotta either...like even coming out of this now,  
13 right, you're gonna go right and then back and then left or back, is people go through Keawe and  
14 straight and they use your...you know they use that as a road. That's just the reality of how it's  
15 used. So what are we doing to address that especially when that little left-hand, you know you  
16 go right and then left down. So that's my question is what are we doing to mitigate the reality of  
17 how the traffic flows there?

18  
19 Mr. Overton: So that was a great question thank you Chair. I'll let the...want to go to the grassy  
20 area question first and I think we know that the use of the parking lot it's very unutilized at the  
21 present. Now the parking standard were changed to reduce the actual number of spaces required  
22 based on the Code. That happened after we had applied for this. It happened at the beginning  
23 of the year so we know that ratios...we'd have to recalc and see if we can accommodate all of  
24 the requirements for what's built there presently plus this small additional space to see if we could  
25 accommodate that and keep the grassy area. Now I know there have been calls including from  
26 seniors that access is desired especially with the popularity of Safeway. So it's kind of a balance  
27 of needs and desire and I think everybody would love to have a green open space retained if at  
28 all possible. So I think we could look at that and see what requirements are and I don't know  
29 we're kinda just judging things on the fly. We've had to convert it based on the Code requirements  
30 as of last year to accommodate everything on site. So we'll take a look at that and respond to  
31 you, hopefully we can respond today.

32  
33 As for the flow of the traffic through the site, we worked with the traffic engineers really carefully  
34 to look at all the impacts of the traffic on the property not just the intersection with Keawe but the  
35 other points of connection Kapunakea and Front Street in here. So in terms of level of service  
36 and flow of traffic they're meeting the standards of operation in here. I hear that what you're  
37 saying and that there's gonna be some increase potentially as a result of the fuel station here.  
38 Will it cause a change in the operating conditions, the traffic engineers don't see that at present,  
39 but we did study five different driveway points here and intersections in the traffic study and it was  
40 reviewed by all the technical agencies, the State and the County in the review. I hope that  
41 answered your question.

42  
43 Mr. Carnicelli: Thank you. Commissioner Hudson.

44  
45 Mr. Hudson: Hello. Is the proposed site within in the tsunami zone?

46



1 Mr. Overton: So I'll go back to the flood slide in here and it shows the upper corner of the property  
2 you know it was built before a lot of the mapping happened. This portion right in here shows the  
3 highest in the flood zone in this corner but because of the elevation of the building, it has a  
4 certificate for flood elevation in here and it operates fine with that. So not the gas, the fuel station  
5 or the other...(inaudible)...are affected by the flood.

6  
7 Mr. Hudson: So the direct answer is it's not in the tsunami zone.

8  
9 Mr. Overton: Correct.

10  
11 Mr. Hudson: Thank you.

12  
13 Mr. Carnicelli: Kahu Hill any other questions?

14  
15 Kahu Hill: Yes, I do. Mahalo Chair. This is for Shane. Aloha Shane. I just wanted to know you  
16 mentioning about what a couple of the other Commissioners said, I mean we have, we go to  
17 Safeway and we put in our card number and we get all the great discounts. And if you go to Minit  
18 Stop however, they've got their posting of their gas and then you could have an HFN card if you're  
19 a business owner and be able to get discounted gas, but it's at a certain rate. And just seeing  
20 things like in Kihei, even Kihei Gas they can give a card for a carwash, and of course they do  
21 have one there. But most of it just seeing that even in the south side for 30 years they always are  
22 very competitive on the prices they put out there and there is other gas stations near you. I could  
23 see if they maybe put in their card and got a Safeway discount because of using their card. I'm  
24 just wondering about posting your prices that are going to be less than the other gas stations  
25 around you and affecting those, any of those stores because they're in close range across the  
26 street and up the bypass.

27  
28 Mr. Overton: So State laws that gas prices are posted at the point of sale and so those will be  
29 posted as required by State law. Typically Safeway's gas is slightly cheaper and then as you as  
30 say they have a...not unlike Minit Stop where you have sort of their...flyer program if you will, you  
31 know same with the Safeway card you can get additional discounts in that manner. But those are  
32 not that particular portion for the discounted case per the Safeway card would not necessarily be  
33 posted just the regular price.

34  
35 Kahu Hill: So do you know how different your price would be, Safeway's price in the area of let's  
36 say near the mom and pops store across the street?

37  
38 Mr. Overton: Oh, I think it's a little too early to sort of speculate in terms of what exactly the  
39 amount. Perhaps I can ask Jay who would probably be a little more familiar with that.

40  
41 Kahu Hill: Just generally Jay. 'Cause we know that it's quite different if we go to Costco or if we  
42 go to certain places. So we're just, I'm just looking about the gas stations near you and posting  
43 the discount prices and not using a card actually to get a discount like you would at Costco or  
44 HFN.

45

1 Mr. Kerner: So it definitely is not the deep discount that you would get at Costco, but it's you  
2 know, it's typically a little bit cheaper than just do a standard gas station and then the card I think  
3 that typically you get a 20 cent per gallon discount by using your Safeway card and then you get  
4 the cross shopping you know sometimes with Safeway with coupons and that kind of thing.

5  
6 Kahu Hill: Mahalo. So it is, the people will get most of the discount by using their Safeway card?

7  
8 Mr. Kerner: Correct.

9  
10 Kahu Hill: Okay, mahalo.

11  
12 Mr. Carnicelli: Commissioner Robinson.

13  
14 Mr. Carnicelli: Oh wait, wait. Sorry, sorry, Director.

15  
16 Ms. McLean: Thank you. Jeff I think we need to clarify your answer to Commissioner Hudson's  
17 question. Back on that slide so the purple is the velocity zone, so yes it's true the project is outside  
18 of the velocity zone, but it is within I believe the tsunami evacuation zone. So that's shown by the  
19 very light blue line that goes way up Keawe Street.

20  
21 Mr. Kerner: This is this line up here.

22  
23 Ms. McLean: That's the evacuation zone I believe.

24  
25 Mr. Kerner: Yes, yes.

26  
27 Ms. McLean: So when you talk about the tsunami zone there are two different things. One is the  
28 velocity zone which is the purple and then there's the evacuation zone which is always a much,  
29 much larger area so I just wanted to make sure that the Commission was clear on that.

30  
31 Mr. Overton: So it included the entire...(speaking from the audience)...

32  
33 Ms. McLean: We can't hear you.

34  
35 Mr. Overton: Thank you Director for the...Jeff Overton, planner with G70. Thank you for that  
36 comment and so the line that the Director depict...this is depicted here which is the evacuation  
37 zone so it includes the entire commercial center and other residential and other uses on the  
38 mauka side of the highway within that...it kind of surges out into this area. Thank you for saying  
39 that.

40  
41 Ms. McLean: Thank you.

42  
43 Mr. Overton: Now, I did have a follow up to the question you had Chairman regarding the green  
44 space. I spoke with Jay here on side...(inaudible)...we actually can keep the green space. We're  
45 gonna make some adjustments and retain that landscaped core piece in there. We can shuffle  
46 the parking based on the adjustment to the Code to include that necessary parking on site and

1 retain the green space Commissioner La Costa and Chair. I think it would be a nice way to  
2 go...(inaudible)...

3

4 Mr. Carnicelli: Thanks Jeff. Thank you Commissioner Robinson.

5

6 Mr. Robinson: You got a mic over there huh Paul? And this is, this is for anybody, but I'm looking  
7 through this and I'm hearing traffic studies. I don't see a traffic study in my packet. I don't know  
8 if I missed something. I see we're gonna put fuel tanks underground in the SMA area and we  
9 have no idea of what the tanks are, and what the structure is, and I'm not trying to be out of line  
10 but I've never seen a SMA permit without traffic studies, without drawings of view plains and  
11 without digging into tanks in the ground and how it's gonna be done. I've just seen that we're  
12 gonna follow all regulations and I thought part of the commission here is to look at the plans before  
13 it goes to the regulations and we all know you're gonna follow regulations 'cause everybody  
14 follows regulations, but I don't see any of that information in our packet and it's hard for me to  
15 make a decision on the SMA part of this project without that information. Is it somewhere that  
16 was given to us?

17

18 Mr. Fasi: The—

19

20 Mr. Robinson: And that's to Paul, Director, to anybody.

21

22 Mr. Fasi: Yeah, Paul Fasi. Normally I don't include the TIAR because it's very complicated and  
23 unless you're a traffic engineer it's hard to understand. I have that study available. If you want a  
24 reprint I can give you a copy of the Traffic Impact Analysis Report but basically to sum it up it does  
25 suffice at a level of service which is acceptable for the proposed project.

26

27 As far as the tanks in the SMA, Costco tanks are in the SMA. There's many Kihei gas stations  
28 that are in the SMA with their tanks underground. So there are a lot of fuel stations with tanks  
29 underground. And as Mr. Overton said, you know with the monitoring, electronic monitoring of  
30 these tanks the technology has come a long way in the last 20 years so the Department is very  
31 comfortable with what they're proposing.

32

33 Mr. Robinson: So, so TIAR studies are too complicated for the Commission and you guys decide  
34 when that we should view it or we have to ask for it Paul. I mean, I see it all the time so to say  
35 that it's arbitrary.

36

37 Mr. Fasi: Well, it's too complicated for me.

38

39 Mr. Robinson: Okay, well—

40

41 Mr. Fasi: Maybe you can understand, but I can't—

42

43 Mr. Robinson: When I say...(inaudible)...there's A, B, C, D, E, F and five letters—

44

45 Mr. Fasi: I'll provide you a copy of the TIAR anytime you want.

46

1 Mr. Robinson: Okay.

2

3 Mr. Overton: Okay, we actually have a copy, Jeff Overton, G70. I have a copy here if you'd like  
4 to review it while we're here—

5

6 Mr. Robinson: Well, actually as a commission I wish we all could have looked at it 'cause,  
7 because then I think with the questions and there's been a lot of questions about traffic and there's  
8 been a lot of answers about traffic study and—

9

10 Mr. Overton: This is the table that you were asking for.

11

12 Mr. Robinson: Yeah, and on traffic studies it tells us the time that it was taken, it tells us the date  
13 it was taken—

14

15 Mr. Overton: Sure.

16

17 Mr. Robinson: --it takes direction of what time it was taken. And I have, and I'm sorry Chair can  
18 I?

19

20 Mr. Carnicelli: Go, go, go.

21

22 Mr. Robinson: I have over two to three dozen vehicles that go past that intersection every day  
23 both ways. And if it's gonna, you know, if it's gonna be a Safeway membership and I understand  
24 how fuel works, it's gonna be a Safeway membership and you know, sort of capitalistic to draw  
25 people in that's one thing. If it's gonna be, you guy's price point is gonna be a Costco price point  
26 where people are gonna line up and you know fill that thing I think that's something else. I am  
27 concerned because people are using that left turn a lot more and so traffic is backing up closer to  
28 the previous stop light, you know all the way to Blackie's and so everybody is only using that right  
29 lane now. And I would have liked to see the drawing of exactly how long that right turn apron is  
30 going into that and that's all it, is you know, the information. And I don't know if you have drawing  
31 of what length that turn in into your parking is?

32

33 Mr. Overton: The apron that Jay described is the portion that leads up to the intersection right  
34 here along the State facility. I don't have a diagram of that 'cause it was part of the State's  
35 improvements that were out there. I do, I'm able to answer the one question about change  
36 comparing with the project or without the project in the built condition and what those level of  
37 services are and primarily at the...we already have a Level of Service D with no project in 2020  
38 out there. With—

39

40 Mr. Robinson: When was that? When was that D taken, at what time and what date?

41

42 Mr. Overton: So the traffic consultant, it's a traffic consultant that the County uses, the State uses,  
43 we use—

44

45 Mr. Robinson: I trust the consultant. I just want to know the time and the date.

46

1 Mr. Overton: Yeah. Okay, so they have the date of the traffic study, final report was October.  
2 April is when they took counts I believe. I've gotta get the specific date. When you do it on a  
3 percentage comparison it's actually...if we did at the busiest time of the year, the percentage of  
4 the project would be lower. So we actually have to do it when school is in. These are sort of the  
5 standards of requirement. They don't wait for peak tourist season or things like that. We've got  
6 to do A.M., P.M. peaks and weekend and you're familiar with traffic studies so I'm sure you've  
7 seen that. The differential with the project in terms of the delay change in the movement at the  
8 cannery driveway with the highway at Keawe Street is a minus 1.4 second differential with project  
9 as compared to no project. So there is some minor degradation but it does not change the level  
10 of service and that there's a slight additional delay.

11  
12 Mr. Robinson: I apologize But I don't know what your, what your criteria is to decide what the 1.4  
13 is and without, without having that information of how many cars you think are gonna add into  
14 that. If we're adding, we're adding 16 pumps and we're having back up space to hold the...the  
15 cars, we're assuming we're gonna make some money here and it's gonna be a semi used area  
16 and I'm not against it at all. I just, like I said, it's I just want to make sure that there's enough on  
17 the apron, there's enough for accumulation for the highway to come into because you know we  
18 want the Cannery to be successful. We want the Cannery businesses, all of them to flourish, you  
19 know, and so, you know we want that to happen, but we also have to make sure that's it's not in  
20 the, you know, in the...it backs up the traffic.

21  
22 Mr. Overton: Right.

23  
24 Mr. Robinson: And I've seen a lot of traffic studies and there's a lot of traffic in Maui. So all these  
25 things get developed with traffic study but yet we still have traffic so somebody is not checking  
26 the right, the right box on something. And all it is while I'm here and I'm doing a vote I just wanted  
27 to be able to see the study for myself--

28  
29 Mr. Overton: Sure.

30  
31 Mr. Robinson: --to have my vote. The second thing is I'm looking at this picture you have right  
32 here and I see arrows going into the pumps so where, where do the cars go out? So they're all  
33 going into the station but where do they go out?

34  
35 Mr. Overton: So the flow is directionally into these pumps. They don't come in reverse, they're  
36 gonna flow through, they're gonna go out through here. So basically either they're gonna come  
37 back, turn and come back out through the main driveway here or exit from other locations on  
38 Kapunakea or Front Street at those intersections. So we studied all of those.

39  
40 Mr. Robinson: Do you have a larger picture of...or do we have to go just to the big map? And  
41 because, because is I go there now and I get, I get kinda stuck in front of Longs. People are you  
42 know stopping and dropping off, we have a lot of senior citizens, you know taking their time and  
43 so if that's gonna be the main flow of gonna go through that side to come back around you know  
44 or if you're gonna keep one of those two lanes, if you can go back that one picture?

45  
46 Mr. Overton: Sure.

1  
2 Mr. Robinson: Or if you're gonna keep either right or the left lane as a one-way to be recycle  
3 through 'cause I think recycling people all the way towards Long's I think is gonna...is not a...you  
4 know, not going to be a standalone, right. You could still go to Safeway which is the whole point of  
5 them visiting Safeway but that mall I think you have everything flowing one way that way it's going  
6 to be choke point in the parking lot. We're gonna need a better flow otherwise people are gonna  
7 start losing their patience. They're gonna start speeding out inside there jumping the highway  
8 and that's what happens. It's not that people don't know how to drive is they lose their patience  
9 'cause they don't think they should be going two miles an hour in a 35 mile an hour zone because  
10 the traffic and then that's when we have our trouble. It's not that the road's blocked, it's just that  
11 people aren't patient enough to just you know flow the track.

12  
13 Mr. Overton: We get some of that on Oahu at times.

14  
15 Mr. Robinson: Yeah but everybody had traffic studies on Oahu right? Yeah, okay. So and that's  
16 all. So on the landscape do we have any view plains from the across the street or from the  
17 highway of what the things are gonna look like instead of just from inside the parking lot because  
18 part of the SMA is to preserve the view plains from the highway and do we have any of those  
19 pictures?

20  
21 Mr. Overton: We have the pictures of the existing conditions only. We've not done projections of  
22 views from across the highway of the future condition and one of the reasons for that is many of  
23 the mature monkey pods that exist out there which really dominate the landscape is gonna  
24 continue forward. As Jason had described we will be augmenting the landscape in the area of  
25 the convenience store following the UDRB comments where they wanted some additional  
26 buffering of things like the trash dumpster area and the back of house in there. So you raise an  
27 excellent point is that the beauty of this we want to retain, we've got the mature palms along the  
28 access drive and then it's really going to be the low plants that we have an opportunity to bring in  
29 natives and some colorful landscape there.

30  
31 Mr. Robinson: You know it's and my concern is I'd actually like to see a taller hedge. I'm afraid  
32 of people looking towards the gas station to see who's in there and looking at the distance and  
33 them not seeing who's in front of them cause the traffic is congregating at that point. You know,  
34 I think open is nice but I don't want them looking at the gas station and the 16 pumps and seeing  
35 if their friend's there and we get, you know because it is slowing in that direction there. Chair, I  
36 have one last question or would you like to go around and come back?

37  
38 Mr. Carnicelli: Go.

39  
40 Mr. Robinson: Thank you and I'm trying to think of what it was now.

41  
42 Mr. Carnicelli: I can circle back if you want.

43  
44 Mr. Robinson: Yeah, why don't you circle back I lost that train when I...thank you.

45  
46 Mr. Carnicelli: Commissioner La Costa do you have any questions?

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Ms. La Costa: Yes Chair thank you. I did not see on the plans any solar.

Mr. Overton: Yeah, that's a good point, you're talking about say rooftop PV?

Ms. La Costa: Rooftop PV or—

Mr. Overton: That sort of thing?

Ms. La Costa: Yeah.

Mr. Overton: So we have an expert in this and Jim Stone one of the founders of the Hawaii Green Building Council, we've talked about potential for integrating it with the center and Paul said, you know we gotta include that in this SMA if we're gonna have that. We talked about it. We have a very complex roof assembly there and I think you have the ability to add this in there but at this time the center is not pursuing that as part of the system in here. I think long-term it may be a possibility to integrate that. I know there were some challenges because you know how that saw tooth roof configuration is it's not perfect in terms of setting up for very efficient solar field on the roof there. But of course, that could be added, it just hasn't...isn't included right now.

Ms. La Costa: Being that it's a standalone building why would you be concerned about the center doing it itself?

Mr. Overton: You're talking about the convenience store itself?

Ms. La Costa: Both the convenience store and the roofs of the pumps.

Mr. Overton: Canopies, the canopies in there.

Ms. La Costa: Yes.

Mr. Overton: So I know it was raised with Safeway. Safeway decided not to include it as part of the design in there as far as we understood. So it's a possibility but it was not included in this.

Ms. La Costa: Okay. Another one please? Thank you. What are the depths of the tanks that for the gasoline?

Mr. Overton: Okay, that's a technical question I probably don't have an answer to. I know that some of the folks on our team have worked on other gas stations. I don't know whether Michael you want to respond to that question 'cause I know you've dealt with remediation of the site.

Mr. Michael Wright: Good morning Chairman, Commissioners. Michael Wright, developer for the project. Just so we're clear what we're in with the SMA app for is for the fuel station, but we're actually not developing the fuel station. We're delivering to Safeway a buildable pad and Safeway will come in and build their own fuel station. So if we sound like we're quite up to speed on the depth of the tanks, the size of the tanks, the number of the tanks is because we're not designing

1 the tank system or the gas station. We are however, and you've seen in our elevations the  
2 canopy, the convenience store which is required for the SMA app. So when Safeway comes in  
3 for the building permit they will come in with all respects for the fuel station. So we're kinda not  
4 up to speed on that, but per Jeff's comments earlier it will be totally up to our current Code  
5 requirements.

6  
7 Ms. La Costa: Thank you Mr. Wright.

8  
9 Mr. Carnicelli: Commissioner Castro do you have any other questions?

10  
11 Mr. Castro: Yes I do. I have a couple of questions. One will there be any air and water provisions  
12 out there?

13  
14 Mr. Overton: For tire air service or water for radiators sort of thing?

15  
16 Mr. Castro: Correct.

17  
18 Mr. Overton: I don't know if that's included at this station. I didn't see an outlet for those or  
19 vacuum or things like that since that's more traditional service station offerings. I'm not aware of  
20 those being included. So the answer's no, not included.

21  
22 Mr. Castro: Okay. One more question.

23  
24 Mr. Overton: Sure.

25  
26 Mr. Castro: From the pumps to the convenience store is that area going to be striped for  
27 pedestrian crossing?

28  
29 Mr. Overton: Yeah, this is the diagram, it does not show the striping on here. You raise a very  
30 good point because if you have pedestrians coming out of the vehicles to access that I would  
31 think we would need to show at least one central one might make sense here so that it's organized  
32 and it's not random walking across so if I was designing it it would come through here. I don't  
33 know if that makes the most sense guys. You focus them and try to direct them to the walkway,  
34 have way finding signs so it be much safer. It's a very good comment. Thank you.

35  
36 Mr. Castro: Yeah, it's only my concern if you know people crossing and the drivers not yielding  
37 to the pedestrians crossing.

38  
39 Mr. Overton: If I could maybe respond back on the tank question just briefly. So my experience  
40 has been these tanks are typically eight feet diameter tanks. They have to have two-foot cover,  
41 they have a concrete deck with a very set, you know valve outlet for the filling positions on it. So  
42 that would go to the total depth of eight feet. Now they have to add liners and detection as Planner  
43 Paul Fasi had mentioned. So your excavation depth might be approaching 10, 11 feet to get that  
44 they've got to apply a solid bed so it doesn't settle in. So we're down at about minus ten from the  
45 site.

46



1 Mr. Castro: One more question. So does that include vapor release?

2  
3 Mr. Overton: Yes, all of those factors have to be integrated with the design. It's required.

4  
5 Mr. Castro: Thank you.

6  
7 Mr. Carnicelli: Commissioner Tackett you have any other questions?

8  
9 Mr. Tackett: Not at this time.

10  
11 Mr. Carnicelli: Commissioner Gomes you have any other questions?

12  
13 Ms. Gomes: I do thank you Chair. In regards to...just want to piggyback on  
14 Commissioner Castro's in regards to the tanks you talk about the tanks, we are talking about  
15 providing for the fuel pumps is this correct?

16  
17 Mr. Overton: Correct.

18  
19 Ms. Gomes: So the tanks, you didn't have the answer in regards to how many tanks were going  
20 to be provided earlier is that correct?

21  
22 Mr. Overton: I didn't have an answer for you in detail.

23  
24 Ms. Gomes: Correct. So we have eight fuel pumps, according to you approximately eight feet in  
25 depth are these...but you probably don't know because we're not sure about the tanks but I'm  
26 just gonna ask you this anyway, are these tanks going to be accommodating the eight fuel pumps  
27 dual or are they going to be like eight separate tanks, four tanks accommodating two tanks each?  
28 Is there some kind of thought process to this? And then I also have a question for that other  
29 gentleman who stated that he's not developing it, that Safeway is developing it.

30  
31 Mr. Overton: Oh no, we're here representing the project. I think you know we should be able to  
32 answer your questions regardless of who's developing 'cause we're asking for permission to build  
33 this facility. So I think that this area if I could just go to the graphic here, this is the portion of the  
34 property where the tanks are gonna be located. Now you have typically three different blends of  
35 fuel, right your regular, your plus and then your super. Okay, so you've got three reservoirs that  
36 are set up for the three different fuel types in there. They're all interconnected so that they service  
37 these 16 different fuel positions. So to answer one of your questions we will not have eight  
38 separate tanks. I believe the number is three because of the different fuel tanks. Now the  
39 arrangements, the way they work in these when you see a tanker truck it may not be just all one  
40 fuel in a tanker truck. You might have three or four different cells in a tanker truck that hold these  
41 different blends. So you can imagine in the ground we can't mix these. We've gotta have them  
42 independent by fuel type and then interconnect them to have them go to each of the filling  
43 positions. So it's basically lined along this area, we've sized it so that the fuel truck can come in  
44 and load without blocking traffic because these parking spaces don't go through and this is the  
45 area where the tanks would be lined up and then they service each of these pumps as in your  
46 question. They would be the main reservoir for them. What's nice about this it's the farthest

1 distance away from the Kahoma flood channel as well as the question about the ocean. We're  
2 basically at the mauka edge of the property here.

3  
4 Ms. Gomes: So there is an answer in regards to...I mean, the pumps, how many pumps there is  
5 going to be in the ground and so forth. It seems like there might be...you do have an answer for  
6 that.

7  
8 Mr. Overton: What I don't have is a design plan for the subsurface, you know, fuel specifications  
9 here that I can show you right now. So that's why I had mentioned that we rely standards. This  
10 is very, very closely regulated. So my experience based on this fuel station in terms of the concept  
11 layout and other stations that would be the configuration for it, but it was not presented in detail  
12 as any of the exhibits in the application.

13  
14 Ms. Gomes: And then Chair, in regards to developing, the gentleman stated that Safeway  
15 is...they are going to building this particular gas station.

16  
17 Mr. Overton: They will be submitting their own design plans and coming in for the building permit  
18 as a tenant on the space. So these folks represent the owners and developers of the property.  
19 Safeway is the tenant for this space and they would be responsible for coming in with the specific  
20 design plans that would have to meet State approval, County building approval and all those  
21 clearances so that's the next phase in the process should we be successful in gaining the SM1  
22 approval.

23  
24 Ms. Gomes: Okay, and then just back to one of my colleagues, Commission Hudson, in regards  
25 to the evacuation line that we showed wouldn't that cause traffic? I'm mean we've seen traffic  
26 again, Commissioner Robinson had explained we do see...Paul, I'm sorry, you know, staff with  
27 all due respect, we do see traffic impact statements reports, we do see them. It is not everybody  
28 can read them, yes, I agree not everybody will have the full understanding of them but we do see  
29 them. We do understand that we'd like to see them in the report ahead of time. The time, the  
30 date, definitely the year, we've seen stuff that traffic impact reports were done couple years ago  
31 yet they come to us and it's like this was done last year, it's not even current. The landscape of  
32 that place has changed. So just want to make that very clear that you know, just backing up you  
33 know several of my colleague's comments and statements and concerns. I do have some  
34 concerns on top of that.

35  
36 Mr. Overton: Could I respond briefly on that? So the staff report that was issued to the  
37 Commission Members that I have here it's roughly 30 pages has over two pages on traffic  
38 information and also a diagram on here so it does talk about the date of the traffic study, the level  
39 of service, when the work was conducted. I can point you to pages.

40  
41 Unidentified Speaker: It's in here but it's not good, it's a summary.

42  
43 Mr. Overton: It's about two-thirds the way through the report. I'm sorry, it doesn't have a page  
44 number at the bottom.

45  
46 Ms. McLean: Page 27.

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Ms. Gomes: Page 27.

Mr. Overton: So it talks about the date of the traffic report, it answers that one question that we had in here about how many vehicles at peak, peak period of 85 during the morning hour and 111 trips that's in and out at the afternoon peak hour. Has a diagram that shows the five different points where there traffic study did the modeling of traffic impact and with and without project conditions and then it talks about the flow of access through there. And then at the back also there's discussion under roadways at the very end of the report it talks about 2020 intersection conditions. So I think there was a high level presentation, I'm sorry that there was a not requirement to include this but it is in the assessment application as well as the SM1 app that was reviewed by the Planning Department and I'm glad to share it with you here today. There's a summary table that's very clear.

Ms. Gomes: Right. I mean, this is, I mean, this is I wouldn't call it a synopsis in a sense, but we'd like to see data, you know. We've seen some before in the past. This to me is like a paragraph you know. We'd like to see some numbers that would be nice.

Mr. Overton: Sure, make sense.

Ms. Gomes: Yeah, a graph, you know that would be good, some peak times, you know months, maybe.

Mr. Overton: An important thing to understand is this is an existing shopping center and this is being placed within the context of an existing shopping center so a lot of the circulation patterns are all in place to there and again, we're overlaying this one use on top of it and we made sure that it was reviewed by your County transportation agency as well as the State. We met personally with them to review their concerns directly. Did provide us some guidance on mitigation and helping to improve the driveway flow. So I think your points are well-founded and we have paid attention. I apologize we didn't have more in there for you.

Ms. Gomes: No, I mean there's a lot of information trust me, it's just that we have to be very responsible as commissioners. I mean, we are the conduit for the public and just so you know the landscape of Maui is changing drastically and very quickly. Lahaina is gonna boom up, South Maui is booming up, so it's not like we're just throwing ...(inaudible)...at you. You know, but we do need to be responsible and respectful about everyone that is going to be impacted. So it's in no disrespect just want say that.

Mr. Overton: I'm a planner I can take it.

Mr. Carnicelli: Mr. Fasi.

Mr. Fasi: Yes, thank you Commissioner. If...when you do...Commissioners when you do receive the report if there's something missing you need to call the Planning Department immediately and we'll send it out. The report sent to you with enough time to review so if something's missing call me we'll get it sent to you. One of the reasons why I don't print out the TIAR because it's

1 voluminous and it takes a lot of resources of paper and ink to...and time to print these out, but  
2 individually if you want copies of the TIAR I can either send it out to you personally or I can have  
3 the traffic engineering company get it to you ASAP.

4  
5 Mr. Carnicelli: So Commissioners I think we still have some questions so we'll go ahead and do  
6 another round. Commissioner Hudson do you have any other questions?

7  
8 Mr. Hudson: My question is for the Director. This is an SMA Permit so somebody building a  
9 service station but it doesn't include the specifications for the tanks. Okay, when the tank comes  
10 in, to put in the tanks, and even though technically advanced and all the rest of that are we going  
11 to see another SMA Permit? Is that coming back over here for another SMA?

12  
13 Ms. McLean: No, this permit would be for the entire project.

14  
15 Mr. Hudson: So we're gonna be working on an SMA where we don't have the specifications for  
16 the tanks? Is that correct?

17  
18 Ms. McLean: That's correct.

19  
20 Mr. Hudson: Thank you.

21  
22 Mr. Carnicelli: Kahu Hill do you have any other questions?

23  
24 Kahu Hill: I do. Mahalo Chair. I did want to know a couple of things. I didn't know if Mike would  
25 be the person to answer or who could...if you could answer here and that was just about Kahoma  
26 Stream and if there is something that happens with a tank or with an earthquake or with something  
27 I know the stream is channelized but don't know how deep the tanks are. So any specifications  
28 on the tanks how that could affect the stream and therefore our oceans out there?

29  
30 Mr. Overton: Sure. Well, I think in terms of the scaling I gave that information as sort of a  
31 secondary response, they're eight-foot diameter tanks, two-foot are cover. So we're at about  
32 minus ten at the base of the tank and I'm sorry, we don't have the drawings before you, we could  
33 get those for you. Yes, Kahoma Stream, you know, if there was an earthquake or some kind of  
34 dramatic failure where these fuel tanks ruptured and flowed into the channel it would be a horrible  
35 event. I think there would a lot other very difficult things happening in that size of an event. These  
36 systems have to be scaled and constructed in a way so that they don't rupture. In the old days of  
37 steel tanks and things like that, it's a little bit different. These are all poly, they've got double liners  
38 so you got the liner, the tank, then there's a secondary liner around them that way they can do  
39 leak detection if the primary one fails then they can detect it and capture it within the outside liner  
40 like that and so especially when we're near water bodies these type of designs are really effective  
41 and they follow the latest guidance flowing down from EPA through our Department of Health  
42 Hazard group and so that's really the best answer I can give you is that it has to be designed to  
43 those latest specifications or it won't be approved for construction. There shouldn't be issues like  
44 the old days where we had overflows and vapors and fires or tanks that had no liners or detection  
45 and we didn't know for years that happened and so we've worked on a few of those kind of

1 recovery situations on other islands where it's a big clean up, it's a big mess. And so the new  
2 systems shouldn't have those problems at all because of the safeguards.

3

4 Kahu Hill: Mahalo. I have one other question.

5

6 Mr. Overton: Sure.

7

8 Kahu Hill: This is about traffic and just really looking at what Commissioner Gomes had said and  
9 other Commissioners, we have a authentic luau, Old Lahaina Luau that's right there on the other  
10 side and a lot of these people coming which is hundreds come in and out using that drive and  
11 they may come out and go through your lot or through this lot and come out to the street light to  
12 go back, go out, go back to the south side or upcountry, wherever they are. I'm wondering is  
13 there any way that you or have you thought about just working a little bit more on that road or  
14 expanding that a little bit more for traffic that would come from there up to Honoapiilani?

15

16 Mr. Overton: So you're talking about the connection between Front Street and here and up  
17 through the project in here?

18

19 Kahu Hill: Yes.

20

21 Mr. Overton: Of course we wouldn't be proposing any kind of a new intersection on the highway,  
22 but you've raised a good point about how smoothly can we have traffic flow. There's already an  
23 agreement for offsite parking to support the luau and that's gonna be sustained. So there'll  
24 actually be some improvements to the parking lot and the landscaping that will make it more  
25 pleasant for the folks attending the luau and the parking situation there. I would say that the  
26 improvements to the driveway and signage and way finding will make it very clear there won't be  
27 a secondary road added in here at this point. We've really got to stay away from, this edge of the  
28 property here, this is the fence line in here, so we're basically gonna work with the internal  
29 driveways and the owners have plans for improvements to the parking, the landscaping, the  
30 signage and such in there.

31

32 Kahu Hill: Okay, mahalo.

33

34 Mr. Carnicelli: Commissioner Pali any questions? Commissioner Robinson.

35

36 Mr. Robinson: Thank you. Thank you again. I'd like to circle back with a comment a testifier had  
37 regarding the ADA parking. To your knowledge did you guys reduce ADA parking from its current  
38 amount and to where it's gonna be when this project is finished?

39

40 Mr. Overton: I'm gonna ask Jim Stone to come up 'cause he worked a lot on the renovations  
41 side.

42

43 Mr. Jim Stone: Thank you, yes, Jim Stone, G70. When we expanded Safeway there was stalls  
44 that were right in front here, they were not well used and the ramp and everything did not comply.  
45 When we successfully expanded this we actually moved the stalls over to the side and here and  
46 kept the current ADA. Again, we would not have been issued a building permit if we didn't retain

1 the ADA. As you also know this whole line across here are all ADA stalls and there also was a  
2 few around the corner here. So direct answer is no, we retained all the ADA stalls. You might  
3 have remembered some here, they're now over here because we've made this a new  
4 hardscaped, landscaped easy promenade that's now ADA compliant. The ramp before was not.  
5  
6 Mr. Robinson: Okay, fantastic, zero impact on ADA stalls, right? Got that cleared up. Okay, so  
7 the picture that I have here and if you could go back to that, go back one more time, yeah, so is  
8 the...can you go back one more time? Yeah, so the drawing you have here I'm assuming is the  
9 drawing that we have here where it shows parking on the left side of the convenience store is that  
10 not an inaccurate rendering?  
11  
12 Mr. Overton: In here. I apologize in that the convenience store—  
13  
14 Mr. Robinson: That's the right side, yeah.  
15  
16 Mr. Overton: ...(inaudible)...half.  
17  
18 Mr. Robinson: No, but this drawing we have here is what we're looking at the pumps and from  
19 the street side and it shows that there's parking lots, there's parking stalls on this side of the  
20 convenience store. So this rendering is not...  
21  
22 Mr. Overton: This is the view that you're looking at right here.  
23  
24 Mr. Robinson: Yeah, and see where that green car is, that green car is kind of where that triangle  
25 is.  
26  
27 Mr. Overton: Up in here.  
28  
29 Mr. Robinson: Yeah. Is that a parking stall right there?  
30  
31 Mr. Overton: This is the dumpster trash enclosure in this location. So the renderer may have  
32 taken some liberty for having a car there or the car may be there—  
33  
34 Mr. Robinson: No dumpster, yeah, and there's no dumpster here either. So how many stalls do  
35 we have for the convenience store? I mean, in the actual vicinity of where we think people are  
36 gonna walk and to the convenience store and are you allowing customers to park their car, leave  
37 the pump and go the C store and shop in there?  
38  
39 Mr. Overton: I can't speak to Safeway's operational requirements. You're talking about pumping  
40 and walking in?  
41  
42 Mr. Robinson: Can we ask Safeway? It's about traffic. So if cars are gonna be in the...if cars  
43 are gonna be at the pump and they're allowed to shop then that becomes a parking stall and not  
44 a pump and then the back, then backflow of the traffic coming into that parking lot might be  
45 affected. I don't know if it is.  
46

1 Mr. Overton: Sure, but I think you raise an excellent point. If I was operating it, I wouldn't allow  
2 that. You have parking that's ample along this side and here. There's parking bays on this side.  
3 It shows a little bit more in detail that there's parking right here very close to this location so that  
4 if you were going to have an extended amount of time in the C store you'd probably be directed to  
5 park over here.

6  
7 Mr. Robinson: To park over there. And so can we ask? I mean I hate to say I don't have enough  
8 information so can we ask Safeway now what their...if they have a plan on allowing people to  
9 shop while they're parked at the pump? I mean, most places do.

10  
11 Mr. Overton: Right. Our recommendation is that they not be allowed to stay at the pump while  
12 they're going in the convenience store.

13  
14 Mr. Robinson: Okay, thank you so much.

15  
16 Mr. Carnicelli: Commissioner La Costa do you have any other questions?

17  
18 Ms. La Costa: I do, thank you Chair. So I have a few things. So you mentioned the gas, are you  
19 going to be also selling diesel? Will there be a pump for diesel?

20  
21 Mr. Overton: I don't believe there's diesel included. No.

22  
23 Ms. La Costa: Because if there is then you're going to have height restrictions and height  
24 limitations for commercial vehicles that come in there. How long was the traffic study done? What  
25 was the time period over which it was done?

26  
27 Mr. Overton: Okay, typically what is done in these traffic studies is they'll take weekday peak in  
28 the morning and those peak periods usually run about two hours. I can refer to the study and I  
29 give you the exact time of day for each of those if you'd like it just will take me a moment.

30  
31 Ms. La Costa: And I'd like to know how many days. If they just sat there for one day that is not  
32 representative of the actual traffic flow so I need to know the period of time over which the study  
33 was done. Thank you.

34  
35 Mr. Overton: So they typically do not do two, three, four days of repeat counts for these studies.  
36 They'll pick a typical day, it can't be a holiday, school has to be in session and they run these  
37 because of their...understanding if they're using ...(inaudible)...counts, they'll have a 24-hour  
38 count that's done mechanically and then they'll pick the peak period based on the busiest two-  
39 hour period and designate that both in the morning and in the afternoon. Then they also need to  
40 do weekday counts in there. Weekend counts on the peak period in the afternoon usually of a  
41 Saturday. So all of that is in here I can share that with you.

42  
43 Ms. La Costa: So two days that they did the study or did they just...

44  
45 Mr. Overton: That's typically what it takes because they have to do the weekday and then they  
46 have to do the weekend. So it takes two days of field work.

1  
2 Ms. La Costa: Okay. It would be important to me as a west side resident to see when those  
3 times are done and what the actual traffic is because to reiterate I have sat there through two and  
4 three lights because of the traffic, because of the flow does not work very well coming out of Longs  
5 Drugs so that is...it would be important to me to see the traffic.

6  
7 Mr. Overton: So what I see here is they do 24-hour totals and they ran it for a month.

8  
9 Ms. La Costa: Okay.

10  
11 Mr. Overton: So that gives them the background to do the analysis, but then they also pick the  
12 peak periods. So I see two different descriptors in here using different counts. So these are their  
13 worksheets. I'm sorry you're stumping me a little bit, I'm trying to put my traffic engineer hat on  
14 here quickly but we've got these station descriptions from the counts that are done in through  
15 here so we have that information in the study.

16  
17 Ms. La Costa: Chair if I might please? Thank you. I'm gonna go back again to the tank which is  
18 a major concern not only from ecological but also what's important to our water. If you did the  
19 height and the depth, I want to know close to Kahoma Stream and the ground water is the bottom  
20 of the tank and like Commissioner Hudson I also, it's important to see the actual construction  
21 specs for that because you can't say yes, to an SMA if you don't know how it's going to impact  
22 the Special Management Area.

23  
24 Mr. Overton: So I do not have the construction specs here for you. I could tell you what the  
25 distance is from Kahoma Stream. The tanks are approximately 400 feet away to the north of the  
26 Kahoma flood channel. Just scaling it off the plans here.

27  
28 Ms. La Costa: And the depth?

29  
30 Mr. Overton: The depth as I had described, I don't know the actual depth of the stream. I know  
31 it's kind of tidal in the area down by the bridge in there. Our elevation on the site, I know Jim you  
32 can ...(inaudible)...an elevation here. I know at the bottom of the site I have to pull up the  
33 elevation map.

34  
35 Ms. La Costa: I need to know close the bottom of the tank liner is to the ground water and the  
36 stream, again thinking forward to any kind of a natural disaster that could create a nightmare.  
37 And then lastly, just as a point of information, there are seven gas stations with convenience  
38 stores and/or additional services within a mile and a quarter of this project.

39  
40 Mr. Overton: Seven?

41  
42 Ms. La Costa: Seven.

43  
44 Mr. Overton: Thank you.

45  
46 Mr. Carnicelli: Commissioner Castro any further questions?



1  
2 Ms. La Costa: I beg your pardon, yours would be seven if it were approved.

3  
4 Mr. Carnicelli: Commissioner Castro any further questions?

5  
6 Mr. Castro: None. Thank you.

7  
8 Mr. Carnicelli: Commissioner Tackett any questions?

9  
10 Mr. Tackett: None at this time.

11  
12 Mr. Carnicelli: Commissioner Gomes any questions?

13  
14 Ms. Gomes: No.

15  
16 Mr. Carnicelli: Okay, so Commission I think we kind of...we've been doing this about an hour and  
17 a half now as far as questions. I guess my question to you as a body is would you like to move  
18 forward with the recommendation and then, you know a motion to either accept, deny or defer or  
19 would you like to move in a different direction? Commissioner Robinson.

20  
21 Mr. Robinson: I'd like to make a motion to defer.

22  
23 Mr. Hudson: I would second the motion.

24  
25 Ms. Gomes: Second.

26  
27 Mr. Carnicelli: Okay, motion by Commissioner Robinson, seconded by Commissioner Hudson.

28  
29 Mr. Robinson: I'd like to speak to the motion please Chair if I could?

30  
31 Mr. Carnicelli: Yeah, as the movant.

32  
33 Mr. Robinson: I'm actually for this project. I think options are good for the west side. I think if  
34 they can get cheaper gas or cheaper groceries then good for the west side. There's not many  
35 options there. I think as it's growth hopefully we can facilitate it more, but I do have questions  
36 regarding the SMA. I do have questions regarding the traffic, the traffic study. I read where  
37 there's 1,500 new trips. I don't know how this is gonna be new trips because there's already  
38 traffic in Lahaina. So the store is not gonna generate traffic, the people are gonna go to the store,  
39 if they're gonna go or they're not, but my concern is that right turn. My concern is the study that  
40 we have if there's gonna be...we're thinking there's gonna be 1,500 right turns or not, I'm hoping  
41 that the person who did the study you know could hopefully be here and answer our questions so  
42 that we can make sure that you know we're making a safe decision. I'm also concerned about  
43 there's no...I haven't seen any soil tests inside here. So it's ten feet deep but what is the soil ten  
44 feet deep? Is it sand is it silt, is it hard rock, is it dirt, you know those type of things that we  
45 normally do see in a, you know, it's usually a EA but this is a SMA for this area. And so I'm not

1 against this project I'm just, I don't think there's adequate information at this time to make a  
2 decision. Thank you Chair.

3  
4 Mr. Carnicelli: Thank you. Commissioner Hudson.

5  
6 Mr. Hudson: Thank you Chair. I seconded the motion for a couple of reasons.  
7 Commissioner Robinson touched on a few of them. We need the specifications for the tanks.  
8 We need the traffic study so that we can see them, maybe have the traffic specialist be here. And  
9 since Safeway is gonna be your tenant perhaps a representative from Safeway would be here to  
10 answer some of the questions that weren't able to be answered. Keaka touched on soil samples.  
11 I'd like to know how deep it is before you hit the water table and what are you guys gonna do to  
12 prevent anything from happening to the water table. Thank you Chair.

13  
14 Mr. Carnicelli: Anybody else like to speak to the motion? Seeing none, Director.

15  
16 Ms. McLean: Thank you Chair. The motion is defer taking action on the SMA Permit.

17  
18 Mr. Carnicelli: All in favor please raise your hand. That is eight ayes. Motion passes.

19  
20 **It was moved by Mr. Robinson, seconded by Mr. Hudson, then**

21  
22 **VOTED: To Defer the Special Management Area Use Permit for Additional**  
23 **Information as Discussed.**

24  
25 **(Assenting – K. Robinson, L. Hudson S. Castro, A. Hill, K. Pali,**  
26 **T. Gomes, C. Tackett, P D. La Costa)**

27  
28  
29  
30 Respectfully Submitted by,

31  
32  
33 CAROLYN TAKAYAMA-CORDEN  
34 Secretary to Boards and Commissions II  
35  
36