

**URBAN DESIGN REVIEW BOARD  
REGULAR MEETING  
MAY 5, 2020**

**A. CALL TO ORDER**

The regular meeting of the Urban Design Review Board (Board) was called to order by Mr. Clayton Yoshida, Planning Program Administrator, Current Planning Division, at approximately 10:00 a.m., Tuesday, May 5, 2020, online via BlueJeans Meeting No. 863814773.

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

Ms. Hitchcock-Sprinzl: Just a --. Sorry. Hang on a second.

Mr. Clayton Yoshida: Let's see. I'm Clayton Yoshida with the Planning Department, and with me is Leilani Ramoran-Quemado. From the Corporation Counsel we have Jennifer Oana and Kristina Toshikiyo. From the Board we have the Chair, Caryl Hitchcock-Sprinzl, the Vice-Chair, Peter Niess, Joshua Circle-Woodburn, Marie Kimmey, Stuart Marlowe, Darren Okimoto, Mandy Saito, Mikal Torgerson, and Darren Unemori.

I guess no one has signed up to testify via Chat. If anybody would like to testify over the phone?

Mr. Stuart Marlowe: I think Mikal just -- there he is.

Mr. Mikal Torgerson: Aloha.

**B. COMMUNICATIONS**

1. **MR. JAMES NIERMANN OF R.M. TOWILL CORPORATION, on behalf of the COUNTY OF MAUI DEPARTMENT OF PARKS AND RECREATION, requesting final design plan modifications to previously approved Special Management Area Use Permit and Project District Phase II plans for the South Maui Community Park. The modifications are being sought in order to meet current and future community needs and minimize costs associated with excavation and grading. Also requested is a ten year time extension for completion of Phase 1, which expired on December 14, 2019. The park is located at 1501 Liloa Drive, Kihei, Maui, Hawaii at Tax Map Key: (2) 2-2-002:042. (SM1 2006/0028) (PH2 2006/0005) (PH3 2017/0010) (T. Furukawa)**

The proposed amendments include the following: consolidating the softball and baseball fields into one full-size baseball field; consolidating two junior soccer fields to one full-size soccer/multi-use field; relocating the future youth center building site; consolidating and relocating the amphitheater; pavilion and playground into an entrance plaza; community events area and adventure playground; expanding

**the picnic area and multi-use space; expanding the pedestrian and bicycle trails; relocating the two comfort stations and maintenance building; relocating and redesigning the roadway circulation and parking lots; and adding a Keokea Gulch bridge and trail.**

**The Board may provide its comments on the proposed design modifications to the Maui Planning Commission.**

Mr. Yoshida: Okay, I don't hear anybody wanting to testify over the phone so I guess the first item that we have under Communications is Mr. James Niermann of R.M. Towill Corporation . . . *(Mr. Clayton Yoshida read the above project description into the record.)* . . . The staff planner on this is Tara Furukawa. I don't know if Tara is here.

Ms. Tara Furukawa: Yeah, I'm here.

Mr. Yoshida: Yeah, so Tara, do you want to introduce the project or make some comments?

Ms. Furukawa: Okay. Good morning Commissioners. This item has come to you for review because condition number four of the approval for the SMA Permit and Project District Phase Two approval was that the final construction shall be in accordance with the preliminary, architectural and site plans presented before the Urban Design Review Board on June 5<sup>th</sup>, 2007. Phase One of the park was completed in December and there are amendments that the applicant is seeking with regards to the SMA and Project District Approvals. So we're seeking comments from the Urban Design Review Board on the updated project, and recommendations will be provided to the Maui Planning Commission for a hearing on the project.

The project consultant, Jim Niermann, of R.M. Towill, is here today to discuss the proposed plan changes and answer any questions that you might have. And Sam Marvel is the project engineer with Parks, and I believe Dave Yamashita is also listening in, and they can help respond to any questions.

Mr. Yoshida: Okay, so does the applicant or the consultant want to make a presentation?

Mr. James Niermann: Yes, I'm –

Ms. Furukawa: Yes.

Mr. Niermann: Sorry, I'm jumping in ahead. I'm happy to do so. Is it possible to steal the screen and do a share screen so I can run through exhibits as well? I can give that a shot along the way. But just jumping in, my name is Jim Niermann, as Tara introduced, with R.M. Towill Corporation. We have been working with Parks and Recs since the fall of 2018 on the plan. And I'll go briefly through our scope of work, the planning process, and then the

proposed changes to the plan.

Essentially our scope of work was to reassess and update the 2007 Master Plan for South Maui Community Park, and to see that it meets the current community needs and future community needs. And also is consistent with the 2017 recreation needs and preferences report that the County prepared. So those were some of our compass points in starting out the plan. And the emphasis was using a community process to do that update.

So the process itself involved three meetings with a Planning Advisory Committee (PAC), and two public or community open houses. The, the PAC members were selected by DPR. Probably some of themselves selected. They were a really pretty tremendous group. It was a real, kind of a real privilege and a joy to work with them. But the members, just for your familiarity, we had Bob and Liz Richardson were on the PAC. Brad . . . (inaudible) . . . and excuse me if I'm mispronouncing his last name but he's with Kihei Little League. Matt Thayer with AYSO and Maui News; Ellen Federoff with Kihei Charter School; Andrew Beerer with Kihei Community Association; Aleksandar Filipovic with the Valley Isle Soccer Academy; and then Lehua Huddleston-Hafoka with the Kihei Community -- I'm sorry -- Youth Center, the Executive Director.

And again, yeah, it was really, it was really great to see their commitment to the community as well as their, their spirit of collaboration because they all had their interest, but they were really working together for the best outcome of the park.

The process was basically we had two PAC meetings in the fall of 2018 to develop three alternatives. We took those alternatives to community open house in February of 2019. From the feedback in that community open house we refined what we thought was a preferred alternative based on both the PAC input and the community input. We took that back to the PAC again in February, refined it into the preferred alternative which was then presented in May to another -- to the final community house. And so that outcome of that process is what we'll be presenting today.

Before going into that I wanted to review -- this is where I'll steal the screen real quick. See if this works. Okay, does everybody see that? Are you able to see the figure now?

Ms. Hitchcock-Sprinzl: Yes, thank you.

Mr. Niermann: Okay, thanks. So this is just kind of a dated photograph now just so you're familiar with the area that we're planning for. Phase One is completed and we can go into some more detail about that. And we're looking at the Phase Two and Phase Three areas. Now Phase One is about 15 acres, Phase Two and Three comprise about 27 additional acres. Roughly 20 in Phase Two, and roughly seven in Phase Three. I think a little more here and a little less here.

So jumping into the original Master Plan, as you can see it was, we thought from the original plan our assessment from a planning perspective is that it was a little over programmed. It really is functioning as sports complex facility and less so as say a community park. It probably -- it certainly met the needs of, you know, a real high demand for teen sports facilities in South Maui. I understand that's, you know, an ongoing demand. But it was really to the exclusion of other recreational opportunities. One of the concerns we had was just the amount of parking that it would require to -- the parking requirements to meet this number of sports field, as well as potential traffic impacts from, from having this amount of play at the field. Or, that would probably be remedied by permitting and just not allowing all the fields to be active at any given time. So we just saw this as potentially being a bit over programmed in addition to the construction cost of grading some of those fields in what are essentially blue rock conditions on the site. And it will be -- so those were kind of the three points. One is the parking and traffic, second was the kind of foreclosing other opportunities for recreational use in the park, and then the costs of developing these facilities.

So our outcome our planning that we went through --. And I'm happy to go back and go through the other exhibits, and walk through the alternatives and whatnot, but kind of get to the chase of it. This is the preferred alternative. It's really what we had -- it's a variation of what we had initially presented as our most intensive sports complex concept in the three alternatives that were reviewed by the community and the PAC. There was still a real strong emphasis from the PAC to include a soccer field and a baseball field, and most significantly that those be to an adult professional regulation standard. So the baseball field is an NCAA professional field size, and the soccer field is a FIFA International Standard Soccer Field size. What's identified here is the multi-use field.

The -- what became apparent from the discussions with the PAC and some of the community members at the open house is that the South Maui lacks, currently lacks any adult size, adult standard sized ball field; baseball and soccer field. And that's kind of inhibiting the youths from progressing into adult leagues and continuing pursuing on to that collegiate level and adult level of play. So this would help remedy that that need for South Maui. The soccer field also would function, can function as an adult field of play, as well as can be divided into smaller fields for youths, for youth play as well, so it has a kind of a lot of flexibility there. So that's kind of the key change from the original plan was the reduction in the number of sports fields. We're still retaining the outdoor courts, the hard courts, just south of Keokea gulch. But I'll walk through the other improvements that we're proposing in here really quickly.

Let's see, so starting in the, I guess, this will be on the north end, right adjacent contiguous with the Phase One, we have a community events area. So there's a driveway, drop off, turn around area adjacent to a plaza kind of a gathering space. Community events would be for, you know, like farmer's markets, outdoor classrooms, performance events. We're proposing to put in, like, a raise, just a grass raise mound, you know, for either a hula halau or other performance. But that's kind of the gathering area here.

Adjacent to that we're proposing this adventure playground, and that's conceived as kind of a free play area for kids; rock, scrambles, slides. Here's a picture. Let me see. Something - this image here. There are number of examples from around the U.S. where with these types of parks and they're pretty imaginative and a lot of fun. And the natural topography in this area. This is some of the steepest grade, and there's kind of a natural drainage in the contour there that would lend itself to that kind of, that kind of a play area.

So I'm moving up, we have a multi-use open space. A kind of defining feature of this, it's just a broad open space area for a variety of informal types of sports activities; kite flying, Frisbee, just any type of open spaced area or open space play.

Picnic area would be differentiated in just that it would have more canopy trees and be developed for family gatherings, barbeques. So we would have the picnic tables and barbeque pits. It would be anchored on the south end by a pavilion and comfort station. And adjacent to that is another, kind of a gathering, central gathering area what we're calling the main entrance to the park from the south side. But this would be a pavilion. Again, a pavilion gathering area, kind of where a lot of the pads come together for orientation. Both this pavilion area on the south end, and the pavilion kind of a turnaround area by the community events area. We're also suggesting some space in the middle for community art pieces, either some sculptures or some type of, something to really anchor an identity to the local community there.

Let's see, we have, in addition to this comfort station, down in the west parking lot that's coming off of Liloa Drive, we have another comfort station as well as a storage facility. And the storage would be used by Parks and Rec for maintenance equipment, as well as by the seasonal sports organization for their equipment. And that's just situated close to the baseball field and the multiuse, the soccer field.

So those were the two -- let's see, we have those two comfort stations proposed. That would be in addition to the two existing. There's one by the softball field, one up by the junior soccer field, and then in the gymnasium. That would be sum total there.

And making the south end of the park with the Phase Two and Phase Three areas. Right here we have a bridge spanning Keokea gulch, and that would give access from the parking here and folks using the outdoor courts over to the, to the restroom and the pavilion.

We're also proposing to develop a trail system down through Keokea gulch. And it's a really neat environment down there. It does serve as a major drainage way during, during wet season, but for the most part it's dry. It has some interesting rock formations on the bottom so we thought it would be kind of a fun area to walk through, to scramble through. Putting up some form of pathway down there would also have the advantage of getting more eyes into that area because it does tend to attract encampments, homeless encampments. So

that's the proposal there for that. And that's kind of tying, all of this gets tied together with a walking, a shared use walking, and walking -- walking, bike, and other modes of mobility, trail system through the whole park. We're proposing those to be a paved, eight to 12 feet wide. And the final alignment can be refined in the final design, but this was the concept to connect all these facilities that we had laid out.

Parking. Let's see. So the parking we have, we're actually we'll meet the parking requirements for the County. As shown here, we're actually over-parked quite a bit. We have about 80, roughly 80 stalls in this lot, above the baseball field; about 140 stalls just south of the multi-use field; and about another 80 where the current recycling center is located.

And let's see. Let me see if there's anything else that I wanted to point out. Oh, of course. So a couple of other concepts for the park. One is using the low impact design or low impact development. We try to capture some rain water that's falling on the site, so onsite runoff. Collected as much as possible and direct it for using as irrigation. Directed to the trees and the landscaped areas rather than just discharging it into the drainage system and out. We're proposing bioswales in the parking lot. I think that's pictures of that as well. You guys are all familiar with those. But so within the new parking areas, proposing bioswales to help with that drain water or the runoff retention and re-infiltration.

And we think that might be it. A kind of a neat opportunity for interpretation, to do an interpretative signage or educational component to the park. And that could actually tie in with the historical or archaeological component too.

There are three archaeological sites on the park. There's one right in this location just offset from the pavilion. There's one over here -- you can see the cursor -- just to the north end of the multi-use field. And then there's another one kind of by the community events area. The two on the left are, are platforms, rough platforms that are being served as an agricultural purpose. And the one on the far right was, is interpreted as the ceremonial platform. Kind of in-determined use. They thought it might have to do with the agricultural use as well. And where these became kind of interest is that they were more evidence that this, what was previously conceived as just dry, kind of the no man's land between the shoreline and the mauka areas. It was actually used for agriculture and there were some ways of capturing rain water. Not extensive agriculture, but they were capturing rain water and using it to cultivate probably potatoes and another a little more hardy plant or food species. But that's kind of one of the interpretation, so that story could be woven in with the LID. I thought it might provide a neat opportunity there.

Let's see. So as far as the -- we haven't gone into design yet on the architecture or on the landscape. We're, we're anticipating that that's going to be similar in kind of form and appearance to the work that was done in Phase One. Excuse me, I've got a couple of photos here.

This is a picture of the youth soccer field. Piilani Highway is behind the ridgeline here. And the proposal is to plant that with screening trees to block some of the noise in some of the sites. So that's looking mauka. Similar play apparatus. So this is the one that's up by that soccer field as well. We haven't proposed this in the pavilion area, but that is an option to put in another play apparatus which is this. Here's the softball field. Oops, one more. And so this is sort of the character of the architecture that would be, that would be continued through the remainder of the, of the facility, both through the pavilions and the comfort stations that are proposed, and the storage that's proposed.

And I neglected to mention also that part of the, the thinking about locating the picnic area and the multi-use open space area in these locations is this is really that up-sloped area. It has these really nice views looking towards West Maui, towards the ocean. It catches a nice breeze. Again, we'd be screening it from Piilani Highway with trees and other screen vegetation. Similarly around the outdoor courts, there's a lot of wind in this, in this location blowing to the southwest, so towards the southwest. So, we want to screen that so it doesn't interrupt the play here. And it was broken up a little bit for the enjoyment or the comfort of the park users.

The multi-use field here where the original plan showed a lot of cut and fill, like a lot of cut here. And these depths are probably in the order of 15, about 15 to 20 feet. Similarly up here, there will be a lot cut into this blue rock. So what we're proposing is leaving these relatively, just doing light grading up here to smooth it out for tuff. And the multi-use field we have more fill on the, to support the field and try to minimize the amount of cut into that blue rock. So that was an attempt to save on the development cost. And I think -- I'm happy to go into more detail on the, the utilities as well.

You know, irrigation, we're proposing to use the existing 12-inch R-1 waterline that's in the North-South Collector Road. So that will be used for irrigation. I believe the 18-inch waterline is in Welakahao, and then are four-inch. And then I believe that runs down Liloa Drive as well, currently. There are four-inch water lines serving the current development of the park, and those would be extended to serve the comfort station and the -- for a comfort station in the center here, and down below here.

Drainage primarily flows in this general direction down towards the southwest. There is a 16-inch -- I believe it's a 16-inch drain line or culvert up in this end that flows down. And Sam or Tara can certainly correct me if that's an important detail. We know it's part of the Liloa Drive they're planning on developing more culvert crossings to convey the runoff on the site. The main, the main flows end up in Keokea gulch, and then are, you know, transported makai, and eventually discharged to the Keokea out fall. But what we want to try to do is at least for the onsite runoff is to utilize that as much possible to capture that and use that to irrigate vegetation. Kind of the design principles we're aspiring too on this.

And I'll just say Liloa Drive, this plan is dependent on completion of the North-South Collector Road, so Parks and Rec will be working with the Department of Works and coordinating with them on, on the park development in, in concert with the Liloa Drive, North-South Collector Road improvements. And with that I will pause. I'm sure I'm forgetting something but we can open up to your questions.

Ms. Hitchcock-Sprinzl: Thank you very much James for a really good excellent presentation. Now Clayton will help me, but I don't know if anyone is waiting to provide video public testimony at this time.

Mr. Yoshida: Yeah, Madame Chair, Clayton Yoshida, there's no one that signed up via chat for video, video testimony.

Ms. Hitchcock-Sprinzl: Okay. And then telephone?

Mr. Yoshida: Is there anybody by phone who wants to testify? You can state your name. I don't hear anyone Madame Chair.

Ms. Hitchcock-Sprinzl: Okay, fine, then that's good. Then public testimony is closed. And then I would like to open up the discussion to the Board Members. And I don't know what the most efficient way of doing this is, whether we should just go around the table. So maybe I could call on Peter to start out, our Vice-Chair, with his comments and recommendations.

Mr. Niess: Hello. Peter Niess here with Maui Architectural Group. Overall, I was looking at it and it does seem like it makes a lot more sense for the community as a whole. You've nailed it, that it's not just a sports facility area and I like that a lot. Nice that it will save a lot of money as well, in the grading I can see it's pretty intense.

My questions were if you were to cut a section from through the picnic area, multi-use field, and parking, how is that cured down? You kind of went over it, I guess from the parking to the multi-use or -- yeah?

Mr. Niermann: Yeah, so the -- coming from the multi-use and the picnic area there's bit of a cut right along that east edge of the multi-use field. Generally this slopes down at about ten percent roughly, just naturally. There's a little, a little additional grade as you get down towards the bottom. So what we are doing is minimizing the cut of the sports field here, filling on the bottom so we pick up, I think, I want to say about eight-feet of grade. That would be max along that lower edge, infill. And so you have that kind of ten percent slope and then you have about an eight-foot drop. If I knew where to find it really quickly I know we had done a cut. Let me take a really quick look while we're talking. But we did do a section for, I think, it was the first open house. Conceptual plans. Exhibits.

Mr. Niess: I think it would be nice if the parking was in between them so it wasn't a far walk to the picnic area, like, at Keopuolani Park it creates a viewing area of the field. But with the North-South Collector going in there I don't think you would want a field next to it because balls would probably fly into it.

Mr. Niermann: Yeah, sorry, I'm not going to hunt for that. It wasn't right at my fingertips.

Mr. Niess: About eight-feet. I see what you're saying and then for the parking is a ways below the field.

Mr. Niermann: Yeah, we had --. Yeah, that's kind of, that was kind of a compromise. And we have a ramp going up here so it's not the most convenient. I tried to get it somewhat close. And then this parking was similar. They kind of provide a convenience for --. Ideally we would, you know, I would love to see this parking go away, you know, just to keep that space opened up up here. It does -- and it could be shortened, you know, in the final design to create more of that green space, but still provide staging for the ball field here. For the soccer field, we didn't have a really -- this was about kind of the compromise of getting close to the field. But we were seeing that this would probably be the primary parking for people coming to serve the field, to serve that field. So I don't really have a good response to that other than it's a good, it's a good point. It's not the most convenient for, for folks who are staging in the, in the ball field up there but it's, it's kind of as close as we can get. And, yeah, I think we'll end up having some balls getting kicked into, into the gulch for the sports field. From time to time, they're going to end up down there.

Mr. Niess: Yeah. I'll let you know if I think of anything else.

Mr. Niermann: Okay, thanks.

Ms. Hitchcock-Sprinzl: Thank you Peter. Joshua, do you have any questions?

Mr. Joshua Circle-Woodburn: Hi. Good morning. Sorry, I had to unmute it. Yeah, like Pete said, it looks great. I like how you played this out. My only kind of question or comment was in relation to, you know, the adventure playground. And I have to apologize I don't have kids at this time and so I'm not too familiar with the existing facilities there. Where it says playground existing, I'm just kind of wondering, do we have space planned for different age groups and different types of structures? Or, you know, kind of what was the intent with adventure playground versus the existing playground, and just wondering if . . . (inaudible) . . . were covered? And then my second --

Mr. Niermann: So the --. Sorry.

Mr. Circle-Woodburn: Yeah, if you want to answer that then I can go to my second one after.

Mr. Niermann: Oh sure. So the existing -- this is the existing playground or play apparatus, so there's, you know, the soft, soft surface and you know, the slide and kind of a climbing apparatus. So this is, you know, generally younger kids and, you know, you have the benches around for the parent, parents to keep an eye on them. I think the adventure playground, the concept is to capture that age range as well, five up to 12 or older. I'm sure the teens are going to find creative uses for it after hours. But the -- let's see where's the picture I was going to pull up? I've got to move these guys around. So the idea here is you can develop it with kind of a range of challenges. So can either have the steeper climbs or more gentle climbs. So it would be kind of designed to, to sort of satisfy the curiosity or the adventure-ness of a whole range of ages from little kids all the way up through 12 year olds, skinning their knees, climbing up a little more steeper rock scrambles.

Mr. Circle-Woodburn: Great. Okay.

Mr. Niermann: So some of the, not to get too much into this, but there's some really neat examples of these where they take advantage of kind of the natural materials and really try to give it a local character and local flavor for what types of materials are available, what the landscape looks like, and so then incorporating community art projects. There's just kind of like this wonderful landscape sky's the limit in terms of imagination and budget, you know.

Mr. Circle-Woodburn: Yeah. Great. Okay.

Mr. Niermann: But yeah, that is the concept, to have it kind of be this range of ages in use.

Mr. Circle-Woodburn: Perfect. Then my other question kind of was relating to the community events area. And I guess what this ties into is that space envisioned or would it be in a way set up to be used for public meetings or gatherings? And I guess what I'm getting at is I know that KCC, right next door, gets really booked up. And I know the gym isn't quite yet set up or allowed to be used for that use because they don't want to damage the floor. And I just -- I feel like there's at times there is a need to have some space for people to host public meetings and gatherings. And I'm just wondering if there, if it could be the pavilion, or is that community event area is meant to serve as a, as a way for that as well, or it could be, I guess?

Mr. Niermann: It, yeah, it absolutely could. But the concept was it would be just a multi-use open space area. So what we show right here with the youth center, we're just demonstration that -- there's a condition in the SMA that requires we provide the space for the youth center. There may be some questions as to whether there's still a need for the youth center, and that would be, you know, determined at another time. We wanted to make sure we had the space for it. One of the concepts for that, for that facility was just an open, an open air pavilion, just a covering. Similar to what's proposed at the picnic area here. The pavilion here we see more is kind of like a picnic pavilion, so it can handle small gatherings

or small events. But this community events area certainly was conceived with, you know, to put up pop up tents and have bigger events. That could spill over into the multi-use open space up here. That proximity to the road drop off makes it a little more convenient for staging. Of course, a lot of those vehicles can go off-roading, and use the pathways for staging events and on special occasions. But that was kind of the, that was definitely the idea that it could be used for those larger, larger events whether it's performance, meetings, classroom activities, farmer's markets.

Mr. Circle-Woodburn: Okay. Thank you.

Mr. Niermann: You bet.

Ms. Hitchcock-Sprinzl: Great, thank you. Marie? Any questions or comments?

Ms. Marie Kimmey: No, actually I reviewed everything that was sent in the mail, and I'm certainly more in favor of this version than the other one that was all stamped and signed, and it looked ready to go. I actually live just a couple of blocks from here, and I, I agree that the slopes on that site are going to be very difficult. I think that by raising the bottom end of the multi-use field you're actually making better use of the whole property. I know that's going to take some retainage and whatnot. But overall I am much more in favor of this than one that is just really limited to the older aged people. That's about all I have to say.

Ms. Hitchcock-Sprinzl: Great. Thank you so much Marie, and it's nice to have input from somebody who lives really close by. So Darren Okimoto?

Mr. Darren Okimoto: I agree with what everyone's saying. It's significantly easier to put in two field than trying to fit in four fields when it comes to the topography of the site. So, it's great that the community changed the direction from what was previously there to this now.

I did have a question with regard to the proposed walkways within the gulch. Are those going to be concrete walkways?

Mr. Niermann: No, we're still figuring out what the best approach is. In some places it might not need any improvement, just vegetation clearing because there's a really nice kind of a hard, hard rock surface. And it maybe that it would be hardscape, but we're first and foremost cognizant that it's a drainage way. And when, when the water comes down it comes down in mass quantities. It's a pretty significant flow. So whatever is in there, it either has to be resilient or it has to be in offensive enough like a, you know, using locally sourced material, compacted gravel that if it does wash, wash out, we kind of want to prevent that. Basically we expected it would have to survive that kind of inundation.

Mr. Okimoto: I think there was another project that came just down the street that's residential, and you wouldn't want, you know, big chunks of concrete sidewalk or even any

lighting that you may have to do for safety reasons be installed.

Mr. Niermann: Yeah, I think part of the, part of the -- the concept for that is really to keep it more of a naturalized, maybe just doing the clearing to get down. There might be some stairways going down. We thought it was an interesting enough idea to really explore in the design phase and see what can come up with because there will also be, we certainly have to consider that in light of the drainage function of the, of that, of the gulch. But it's kind of a neat terrain down there. It's an interesting place, and it would be nice to have people enjoy that as opposed to it becoming -- it kind of becomes a little bit of a dumping ground and we know there are a number of homeless encampments when we did our site visit. But it since been cleared out. The area is pretty fantastic about that.

Mr. Okimoto: Yeah, I definitely agree with the concept. It would be good to have something in there. Just making sure that . . . (inaudible) . . . for the design phase that everything is thought about.

Mr. Niess: This is Peter here. It was actually one of our projects, that's the housing project just makai of this, and we wanted to do the same thing. And one way we went about it was kept the pads along the edges of the gulch. And you guys have a bridge which is fortunate which our project can't afford to do, but that gulch is a feature that should be taken advantage of and eyes kept on it. It is something special for sure.

Also, even with our site below this, the archaeological sites up here came up. So I know that that's going to be a big issue and it needs to be dealt with appropriately because there is, the community is aware of those and they are special to the residents in this area.

Mr. Niermann: Dave, Dave might want to speak to that. I know that --. Dave Yamashita from Parks and Recreation spoke with the representative from the Aha Moku in the area about how to treat those, those sites. The general recommendation was preserve them, don't call too much attention to them, but definitely preserve them. And so, while we have them as you can see -- losing my pen there -- this one and this one at least are a little bit offset from, from the walkway. The features, these two features in particular on the left are so non-descript that people would walk right behind. So we want to make sure they're protected in some way, and not calling a lot of attention so people go and mess with them. But, incorporate the, the knowledge or the information about it into interpretation for the park. But it's a --. Yeah, we had quite a bit of comment in the, in the open houses about those, those features. And kind of a sign of a changing times is the Archaeological Inventory Survey that was done, their recommendation was the two sites on the left, data recovery go ahead and file them over, the one the south end here, preserve it as a ceremonial spot. But that seemed to be very -- I think that report was done in early 2000's, and sensitivity have certainly changed since then, so all of those tell a complete story and there's a real interest both on the project team as well as the community folks that spoke up to preserve those. Protect them and preserve them. Yeah, it's, it's a fascinating terrain, you know, not just a

dry, dusty slope. You know, there's a lot of interest going on there.

Mr. Okimoto: Thank you. No further questions from me, Caryl. Thank you.

Ms. Hitchcock-Sprinzl: Thank you Darren. On to Mandy then for questions or comments.

Ms. Mandy Saito: I guess I'd like to touch on the gulch area again. I understand that the pads are opening it up for, I guess, the community. But has there been a discussion with the County as far as safety and allowing people in drainage ways? I feel like that's a concern just because of the amount of water that does come down that, that gulch when there are heavy rains.

Mr. Niermann: Yeah so we haven't had discussions with like Corp Counsel or, you know, on the liability aspect, but we recognize that we have to have those discussions in design. So what we wanted to do is take the concept, start looking at some design options down there, and then, and then bring that up and have that discussion. It's a very -- you're raising a valid point and we talked about internally with the project team about what kind of signage or warnings or, you know, and what is the County's liability for creating, creating our own attractive nuisance in a way, of bringing people into an unsafe area. So I don't have a good answer for that, but before, before that can be constructed, we do have to have that conversation with the County.

Ms. Saito: Yeah. It would be certainly interesting to see because it does require a mind shift the way the gulches are protected and, you know, pedestrians are typically kept out just because of the safety factor and liability. So, you know, if it can get implemented then it would be interesting to see something of this scale.

Mr. Niermann: Like setting a precedence perhaps.

Ms. Saito: Yeah. I had a --

Mr. Niermann: We had a -- one thing I didn't point out too is there is a -- we had some voices for rock climbing, interest in rock climbing. There's a couple of really steep sections of the gulch, so we put these little kind of, you know, dashed, you know, little bit of hatching in there. We took off the labels and we're not proposing that necessarily. But we had all kind of ideas for the recreational possibilities in the gulch were really kind of enticing to play with. But all of that was running into the liability question and particularly how do you develop something that's going to withstand those flows as well. Anyway, just a little add on.

Ms. Saito: Thanks. No further questions.

Ms. Hitchcock-Sprinzl: Thank you Mandy. Mikal?

Mr. Torgerson: Aloha. Thanks. I think generally this is an improvement over the previous plans. I agree with the input from others. I just had a couple of specific questions. I guess the one was related to how the parking lot laid out. Before there was sort of two points of egress from the parking lot, and there are a lot of cars in that parking lot. I'm wondering about concentrating that all to a single point of egress, and how that might present some problems at times. I wonder about your thoughts on that.

Mr. Niermann: Yeah, and I might have to ask Sam to chime in on the current experience of egress onto Liloa Drive under this section. Part of splitting it up this way we thought that we were kind of sharing a little bit of that parking burden, you know, in independent lots, distributing that a little bit more onto Liloa Drive. One of the main reasons for, I'm sorry, for removing that continued driveway through the whole park was it split the park up. We saw that, you know, in the original, that it really kind of created this driveway and parking lot barrier between the different areas of the park and kind of broke the flow up. And, and so one of our thoughts on not continuing that driveway through was, was driven by that concern. As well as there was some, some grading, excavation requirements and grading issues to fit the multi-use fields and the baseball field in. We did have an alternative that had kind of sort of an emergency overflow of parking route that could come through. It wasn't a permanent paved concept. I think that was -- yeah it something --. We had a one-way concept that came through like that. It was doing something like this just in case during major events that we would have an alternative route to, to direct people through. But as far as, I understand that when, when things do get busy down here if there's a softball tournament we haven't really seen what happens with the gym and a softball -- gymnasium and softball at the same time. But there would, I imagine that's going to certainly add some congestion on the road during those peak kind of pulse event, type of episodes. Our thinking about that, and it wasn't that we didn't consider that, but was we were kind of breaking the parking up and separating it out. But the major burden, you're right, is still going to be on that corner.

Mr. Torgerson: Okay. And I like that it's set back from its intersection with Welakahao. That's good. So I assume emergency vehicles could drive down that path, right?

Mr. Niermann: Correct. Yeah.

Mr. Torgerson: If they needed to get out or in?

Mr. Niermann: Yeah. Absolutely.

Mr. Torgerson: Okay. And maybe that addresses it, and maybe it's just a matter of convenience for everyone else. Go ahead.

Mr. Niermann: We still --. Well, actually I shouldn't throw out this out there because it hasn't been vetted by anybody but us talking about it right now that is the idea of still the pads can

serve that function certainly in this connection here. I was just going to say as far as making sure that segment is designed to handle maybe even in addition to the paved path and we have some either the reinforced turf on the sides, you know, to handle more vehicle through there or something.

Mr. David Yamashita: I just want to add one thing to that if I could? This is Dave Yamashita from the Parks Department. Is that okay to say something now?

Ms. Hitchcock-Sprinzel: Yes.

Mr. Niermann: Oh, yeah, please.

Mr. Yamashita: Yeah. I think one of the important things about the site too because you have these facilities that could generate a lot of traffic demand. But our recreation supervisor for the district at the time said -- and this true for all of our facilities -- is we can control the amount traffic that's generated through the permit process. So the idea of having the tournament at the gym and the baseball field or the softball field going on all at the same time is likely not going to happen because they would need to get permits. And in the permit process the people who review them would look at those kinds of issues and wouldn't allow it to happen. So that's another way. That's a really important way that we can control how much parking demand there is.

Mr. Torgerson: Yeah, I appreciate that. I guess what I'm trying to say is if we don't need to design in bottlenecks that create management difficulties maybe we should avoid them. But I do understand the other things that you're balancing there and it does, it does seem like it's a better design, even given that that is one of the outcomes.

My next question was related to -- so a lot of this traffic will obviously come over to Welakahao and want to go north on the Piilani Highway which isn't allowed right now due to the accident that we had last year. Is, is there a planned light at Welakahao and the Piilani? Because this seems like it could contribute a large number of people wanting to make that traffic movement.

Mr. Niermann: So my understanding is in the long run, yes there is. I don't know what the timing of that is with DOT. And Sam or Dave, I'm not sure if you guys have any updates on that, or Tara. But in the long run and I imagine with the build out of the park that's going to become an imperative. And at that point, what I understood from early and this may -- hopefully this isn't a true statement -- that the traffic warrants weren't, didn't indicate a signalized intersection at that, at that intersection based on past traffic patterns and demand. But with the development of the park and these other subdivisions, at a certain point, it's certainly going to cross that threshold. So...that, that's going to have to be a coordination with DOT. I know they're being -- their comments are solicited as part of the SMA process. But Sam or Tara, do you have any updates on that, that future intersection

improvements at Welakahao and Piilani?

Ms. Furukawa: No I don't. I'm sorry.

Mr. Niermann: Okay. That's something we'll --

Mr. Torgerson: Just so I understand. So there would be a traffic study done on the impact of this to the intersection and that aggregated with the subdivisions that are in process are going to be considered for the warrant there, I guess?

Mr. Niermann: That would, that would need to be considered for the warrant. I don't know that it's part of the parks design. Like I don't think that's a requirement for the park design. For the actual design drawing approval, other than the impact on Liloa. I'm not sure if that, if that traffic study will extend up to Welakahao intersection or not.

Mr. Torgerson: It sure seems it should --

Mr. Niermann: Yeah.

Mr. Torgerson: -- according to the concentration of people. And again, through management, you can adjust when those people get released just as the church does across the ways. But it would have a pretty serious impact on that intersection.

Mr. Niermann: We'll find out procedurally where that occurs. But definitely that's, that's something that the project team is aware of. And I think just from the standpoint of -- the assumption is that that intersection will be signalized at some point. But where it's triggered, if it's by the improvements for the park at this point, as part of the traffic study being conducted for the park for --. That does seem to make sense that it would, but I don't know the answer if that's part of the scope or not, of the current design contract.

Mr. Torgerson: Thank you James. The next question I had was related to the parking below the multi-use field. So I presume that zigzag that we see in the walk there is an accessible ramp to get to the . . . (inaudible) . . .

Mr. Niermann: Yes.

Mr. Torgerson: So, if that's eight-feet, a person that has a disability needs to go up a full story of ramps to get up there?

Mr. Niermann: To the soccer field or come from the parking on the south side over here, and then it is a little bit of a longer run, but that's a pretty flat run all the way through to these, these areas up above. What we have thought through in the park, and this path right here, just off that lower edge where these line of trees is located. So that kind of sits up

above the soccer field for, at least, for spectating. We're proposing to put some, you know, make some seating areas in there. One by landscaping that edge so there would be some kind of terrace seats, but also some pull out-right off the pathway. So, while this is ADA compliant coming from this parking lot, yeah, they would have to come up a good full story to get to the edge of the field. This area up here on the upside slide slope was kind of conceived as more of this -- another main spectator area for the -- to watch the soccer games. And that one has less of a grade change.

Mr. Torgerson: It seems like you're just under the ADA you're going to have over 100-feet of ramp there, which would be sort of unsightly, and, and also difficult for a person with a disability to use. I mean, even if the grade is such that they can go up it, 100-feet of ramp is a task for a lot of disabled people. And you might consider some disabled parking maybe above the baseball field that connects more directly over to the field there.

Mr. Niermann: Back over in this area?

Mr. Torgerson: Yeah, I guess that's what I was thinking.

Mr. Niermann: Okay.

Mr. Torgerson: I love the idea of the trail in the gulch. That seems like a really nice way to bring people back to nature in, in a sort of simple way. I agree that there are some liability concerns there, but I'm sure that those can be worked through. But it is a beautiful space. I've actually looked down there in myself, and it does seem like something we should celebrate.

And then the last question I had was related to the, the outdoor courts, right next to the Piilani Highway. Those, those are tennis courts I guess.

Mr. Niermann: Non-specified now; tennis courts, baseball, or pick-a-ball or some other. Those are the three that were kind on the list. But it might be stripped for multi, multi sports use.

Mr. Torgerson: Okay. And I've always been more of a hockey player than a tennis player, so when I play tennis I have a tendency to send them out of the court. I'm curious if that sort of thing might be a problem if balls might make their way up to the Piilani there so close.

Mr. Niermann: We heard that about the soccer field actually as well. You know, that sometimes when the adults are playing here, they're booting soccer balls that reach the highway. We have to consider that. Yeah, that may be an exaggeration, but that came up on one of our, in one of our community meetings.

Mr. Torgerson: I know there's a lot of grade change there too.

Mr. Niermann: Yeah, where it drops down. Yeah, so we're going to have to consider what type of screening vegetation along that edge for Piilani Highway. Possibly even along Welakahao. We're not showing any here. But maybe in design we need to take a look at that to really capture, capture the balls. That came up as a concern about the prevailing winds primarily, and then the noise disturbing the play.

Mr. Torgerson: Right.

Mr. Niermann: And so --

Mr. Torgerson: Okay. Yeah, just something that I wanted to bring up to think about. But overall I think the plan is an improvement of what was there. Those are all the comments I have. Thank you.

Ms. Hitchcock-Sprinzel: Thank you Mikal. So Darren Unemori, would you like to make comments or questions?

Mr. Darren Unemori: Yes, I do have. I just have one question regarding the ten year time extension for I guess Ms. Furukawa or Mr. Niermann. Is there anything -- is there anything that you need this Board to include in its recommendation to the Planning Commission regarding that ten year time extension?

Mr. Niermann: I think just recommend approval or recommend that it is acceptable or reasonable request would be helpful.

Ms. Furukawa: Yeah.

Mr. Unemori: Alright. Thank you. That's it.

Ms. Hitchcock-Sprinzel: Great. Thank you. And finally Stuart.

Mr. Stuart Marlowe: No, no questions. Everyone else asked and been answered those thoughts that came to my mind, so we're good.

Ms. Hitchcock-Sprinzel: Thank you so much. It was really nice to see so much community input into, into your park and really honoring their opinions and voices so that was really encouraging to see. So Tara, do you want to go over the recommendation for comments, and I'll try and help you summarize them if you would like.

Ms. Furukawa: Okay, sure.

Mr. Yoshida: Madame Chair, Clayton Yoshida. I guess for purposes of the record, we just

wanted to state that the Department has received no written testimony or emailed comments regarding this matter.

Ms. Hitchcock-Sprinzel: Okay, so thank you very much Clayton. Yeah, I agree it's really important for public testimony to have folks to have the opportunity to provide that if they wish so that's an excellent point. So are we okay to move on to move on to Tara's summary of the discussion and recommendations?

Mr. Yoshida: Yes.

Ms. Hitchcock-Sprinzel: Okay good. So Tara over to you.

Ms. Furukawa: Okay so overall you like this new plan. And as far as recommendations, I guess, you're wondering if the handicap parking spaces could be set in one of the parking lots, the one nearest the baseball field or the one near the outdoor courts because of grading or ADA parking requirements.

Ms. Hitchcock-Sprinzel: Yes, certainly to consider accessibility and parking access for folks who need that accommodation.

Ms. Furukawa: Yeah. Okay, and then also you wanted them to look at screening and vegetation along the highway to capture the balls.

Ms. Hitchcock-Sprinzel: Okay. Good.

Ms. Furukawa: Okay. And I wasn't sure what else you wanted to.

Ms. Hitchcock-Sprinzel: I had a few things.

Ms. Furukawa: Okay.

Ms. Hitchcock-Sprinzel: Just, just that we, we applaud the preservation and discussion about the archaeological sites and having community input into that. To consider the pads and the gulch in terms of safety and liability when they come up with a final plan.

Ms. Furukawa: Okay.

Ms. Hitchcock-Sprinzel: And then that in light of the current budget exterior climate is that the ten year extension seems reasonable to the Board.

Ms. Furukawa: Okay.

Ms. Hitchcock-Sprinzel: Alright so I hope I recaptured the recommendations. Do we have a

motion to submit the recommendations as read? And you'll have to say your name.

Ms. Oana: Can I just add to your comments really quickly with regards to archaeological sites? I think the comment was to treat, preserve, and protect archaeological sites appropriately. Then with regards to the walkways and the drainage, there's concerns with walkways in the drainage ways which needs to be further discussed.

Ms. Furukawa: Okay.

Ms. Oana: And then one more thing, Mikal, I know you had concerns regarding the intersection of Welakahao and Piilani, do you want to add that a traffic light could be explored?

Mr. Torgerson: Well, just that it -- whatever the code requirements are relative to traffic studies be done and properly weighted. It seems like sometimes the public facilities get a bit of pass on that, and that private development picks it up more.

Ms. Oana: And then one more thing. I know we discussed accessibility regarding the parking, but if you also have a comment regarding the ramp.

Mr. Torgerson: Yeah, I guess my point was to look carefully at accessibility and I wouldn't want to dictate where that goes. But it, it seems like maybe in addition to putting a story below the field we could put it up adjacent to the field as well. Or, you know, I give them the design freedom to explore that, but that's just a concern.

Ms. Oana: Do you want the comment be that the ramp being -- I don't know what you said -- 100 -- was it feet? -- a little too much.

Mr. Torgerson: Yeah, that could be clean and slightly. That's going to have to have railings along the side of it, and that would be the first thing you see going up to that field.

Mr. Niermann: And challenging to the --

Mr. Torgerson: And it can challenge the individuals who would be using it.

Mr. Niermann: Yeah.

Ms. Oana: Okay, Tara, do you have all that or do you need help crafting the language?

Ms. Furukawa: No, I think I've got it.

Ms. Hitchcock-Sprinzel: Okay. Thank you so much Jennifer and Tara. So do I have a motion to submit the approval with the recommendations that the Board just discussed

now?

Ms. Kimmey: This is Marie. I so move that the discussion and the terms of conditions be approved as well as the time extension for the park itself. That's the motion.

Ms. Hitchcock-Sprinzel: Thank you so much Marie. And second please?

Mr. Unemori: Darren Unemori seconds.

Ms. Hitchcock-Sprinzel: Great. Thank you. Thank you Darren. So now because we're in this new environment, I'm just going to ask you to state your name, or, and then --. Perhaps maybe I'll call your name, and then if you can just say verbally for the record if you are in favor or opposed, and I'll just do a round robin. So we'll start with Peter.

Mr. Niess: In favor.

Ms. Hitchcock-Sprinzel: Joshua?

Mr. Circle-Woodburn: In favor.

Ms. Hitchcock-Sprinzel: Marie?

Ms. Kimmey: In favor.

Ms. Hitchcock-Sprinzel: Darren Okimoto?

Mr. Okimoto: In favor.

Ms. Hitchcock-Sprinzel: Mandy?

Ms. Saito: In favor.

Ms. Hitchcock-Sprinzel: Mikal?

Mr. Torgerson: In favor.

Ms. Hitchcock-Sprinzel: Darren Unemori?

Mr. Unemori: In favor.

Ms. Hitchcock-Sprinzel: And Stuart?

Mr. Marlowe: In favor.

**It was moved by Ms. Marie Kimmey, seconded by Mr. Darren Unemori, then unanimously**

**VOTED: To recommend approval on the proposed project with the comments and recommendations as discussed.**

*(Assenting: J. Circle-Woodburn, M. Kimmey, S. Marlowe, P. Niess, D. Okimoto, M. Saito, M. Torgerson, D. Unemori)*

Ms. Hitchcock-Sprinzel: Okay, so the Board in unanimous in its recommendation. So my next quick question is do we need a five or ten minute break before we go on to the next item of business, or do you want to carry on?

Mr. Marlowe: Let's carry on.

2. **JIM FALK of VALLEY ISLE MOTORS, LIMITED dba JIM FALK AUTOMOTIVE GROUP is requesting a variance from Maui County Code (MCC), §16.13.070 "Signs authorized in airport, hotel/resort, business/commercial, apartment, and industrial districts"; to allow nine Information Signs to not exceed a maximum combined area of 117.50 square feet, whereas the code allows a maximum size of 10 square feet combined.**

**JIM FALK is also requesting a variance from MCC §16.13.140.I "General sign regulations"; to allow all of the signs in the variance application as well as on the property to be directly illuminated signs, whereas the code prohibits directly illuminated signs within 150 feet of residential districts. For property located at 195 South Puunene Avenue., Kahului, Hawaii, at Tax Map Key No.: (2) 3-7-012:079 (SPV 2020/0001) (P. Critchlow)**

**The Board may take action on these variance requests.**

Ms. Hitchcock-Sprinzel: Let's carry on. Okay. Fine. So if it's okay with you Clayton, I'll go ahead and read the second item that's before the Board. And thank you so much to James and Parks and Recreation for your excellent presentation, and to the Board for their discussion. It was really interesting so I hope to be able to see the lovely park one day.

Mr. Niermann: Thank you all. We appreciate your comments and time.

Ms. Hitchcock-Sprinzel: Thank you so much. Alright so if we're in agreement we'll move on to the second of business which is Jim Falk of Valley Isle Motors, Limited, doing business

as Jim Falk Automotive Group. It's requesting a variance from the Maui County Code Chapter 16.13.070 . . . (*Chair Hitchcock-Sprinzel read the above project information into the record.*) . . . And the planner is Paul Critchlow. So with that, I would like to invite, is it Robin to make a presentation on the application for Jim Falk Automotive Group?

Mr. Robert Bollin: Hi, it's Robert Bollin for Jim Falk Automotive Group.

Ms. Hitchcock-Sprinzel: I'm so sorry, Robert. Okay Robert Bollin.

Mr. Bollin: I'm going to try to screen share. Just a second. Apparently it's not working. Paul, do you have those two slides?

Mr. Paul Critchlow: Yes I do. I'm going to try and I'll turn my screen share here. Let's see, I have your slides here. Robert, would you like me to show this overview picture first before your slides or not?

Mr. Bollin: Sure. Sure, that would be great.

Mr. Critchlow: Okay. This is Paul Critchlow here. I just wanted to have these picture here so the Board can have a better visualization of where this property is. Leilani emailed everyone I believe yesterday all of these slides.

So in the center here is the subject variance property. On the left side of the screen, you can see the McDonald's area. Across the street from the property is the residential area. And down on, the right side of the gas station, this is on the corner of Hololea Street and South Puunene. The next one here is a street shot shows zoning. On the left side here there's some description. The blue is public-quasi/public. Yellow is the residential zoning. Light-industrial is this magenta color. The subject property is in the middle, highlighted in blue. Zoning is pertinent here just because of the second variance request. And then the third one is a Google street view screen shot on the corner of South Puunene and Hololea Street where you can see the property in the middle here.

Switching over here now to the applicant's slides here. And Robert, if you would just let me know when you want me to switch from screen to screen. Thank you.

Mr. Bollin: Okay, the site plan ones good to start. So our project site is corner of Hololea Street and Puunene. And on that piece of property we have our Mazda dealership, as well as our Chrysler, Jeep, Dodge Ram dealership. This parcel is shared. These dealerships share this parcel of land. Both of these entities are part of the Jim Falk Automotive Group. The existing Mazda dealership building has Mazda branding in the form of a business ID sign on the building itself, and the ground pylon sign on Hololea. The unique circumstances of two dealerships on a corner lot creates a brand imperative for Chrysler, Jeep, Dodge, and Ram to clarify the second building as that brand.

In discussions with Paul, the Zoning Code does not allow multiple signs when you only have one parcel and one TMK number. Unfortunately we ran into a similar situation on our General Motors parcel, and that required a variance as well.

The signage -- Paul, if you can go to the next slide please?

Mr. Critchlow: Yes sir.

Mr. Bollin: The front of the facility faces Hololea. We have the dealer name sign in the center. And then to the right we have the Jeep brand, the Ram brand, and then on the left hand side, we have the Chrysler and the Dodge brand. These signs are mandated by the manufacturer. They're sized as small as they could be for our sized building. The signs are internally illuminated. They're illuminated with LED lights that only lights up the letter themselves. They are completely concealed in the sign can itself. So the dealer name is required as well as the brand signs are required by the manufacturer. And Paul, if you can go the Puunene elevation. On Puunene, we also Chrysler, Dodge, Jeep and Ram identification signs facing Puunene.

If you guys have any questions regarding the signs or the layout of the signs or the site, I would be happy to any questions you might have.

Ms. Hitchcock-Sprinzl: Thank you Robert. Is that the conclusion of your presentation?

Mr. Bollin: Yes.

Ms. Hitchcock-Sprinzl: Okay. Good. Alright Clayton, is there anybody waiting with public testimony we can open public testimony now.

Mr. Yoshida: There is no one who signed up via chat to testify via video.

Ms. Hitchcock-Sprinzl: Okay. Is there anyone on the phone?

Mr. Yoshida: I don't know if there's anyone on the phone who wants to testify.

Ms. Hitchcock-Sprinzl: If there is can you speak now?

Mr. Yoshida: I guess Paul can address if there was any written testimony.

Mr. Critchlow: There was no written testimony received.

Ms. Hitchcock-Sprinzl: Okay, thank you. So with that testimony is closed. So, then now we can move along to questions and discussions by the Board. And I don't know if it makes

sense to talk about the two requests together or separately. I guess we can, we can do it together in the interest of time. So if we could maybe start again with Peter and ask for your comments or questions or recommendations.

Mr. Niess: Peter here. My, my issue isn't really with the area of the signs or the location. It's with the direct lighted bit of it. I just did a project with the direct lighted signs and it's pretty big, and it's so -- they're bright and they stand out a lot at night and I know that's what you guys want. But if I lived in a -- if I lived near there I would be bummed for sure at night. And I don't think they're very attractive in general the direct lighted from behind signs that are kind of in your face like almost a TV screen. But besides that I understand you guys want to get the names out there and clarify what, what brand of cars you're selling there. Yeah. But yeah, I guess, my only comment would be on the lighting of the signs, what that will look like, and what it sets for the precedent for the future development of that, that section of Puunene, I guess.

Ms. Hitchcock-Sprinzl: Thank you Peter. So questions, discussions, Joshua?

Mr. Circle-Woodburn: Yeah. It's kind of to follow up on what Peter was, was stating or asking. My question would be if they are, you know, to be illuminated and they are close to that residential or across the street from that residential neighborhood, do they have to be on 24-hours a day? Can they be off from 10:00 p.m. to -- or during business hours only or, you know, something to maybe help alleviate that concern for those, the residential homes?

Mr. Bollin: Can you hear me? I can't hear you, but can you hear me?

Ms. Hitchcock-Sprinzl: Sorry, yes now, I can -- I'm sorry I was muted.

Mr. Bollin: We -- I don't think we'd have any objections to putting the signs on a time clock and limiting the hours, you know, to our business hours. The illumination themselves, the manufacturer sent me the specifications. The LED driver is half an amp. It only illuminates the perforated sign face for each sign. Like the Jeep logo is green. It actually has a lot of little pin holes in it, and so it's internally illuminated for that light to shine through. And it is a minimum amount of light. It's not -- I would agree that our site lighting on the property, you know, does cast more of a photometric overlay than any of these signs would so we would have no objections to putting the signs on a time clock.

Ms. Hitchcock-Sprinzl: And sorry, just as an interest, what are the business hours? I mean, how late in the evening?

Mr. Bollin: We're generally open until nine o'clock.

Ms. Hitchcock-Sprinzl: Okay, thank you. Great. So Joshua, does that help answer your question?

Mr. Circle-Woodburn: Yes, that answers my question. Thank you.

Ms. Hitchcock-Sprinzel: Okay so it would be something like they would be turned off from 9:00 to 6:00 a.m.; 9:00 p.m. to 6:00 a.m., something like that?

Mr. Bollin: Yeah, we wouldn't have them on during the day, the day time hours. So they would really come on when the sun sets, and they would just come on for those hours, you know, from sun set till 9:00 p.m.

Ms. Hitchcock-Sprinzel: Okay. Thank you. I just wanted to clarify that. So thank you Joshua. Going on to the next board member, Marie. Questions for the presenter?

Ms. Kimmey: Well, no, I understand the, the Jim Falk's folks are kind of in a bind here where the manufacturers are requiring the signs, and so we, I think we need to work with them on this. My only comment -- and I like, I like the solution about the signs not being lit often like that. But my other comment was if there was a real need to change it would be to eliminate the signs facing Puunene because they are directly facing a residential area. Whereas the signs on the other side are facing their own parking lot, and their own dealership across the street. So that's my only comment that if there is a concern, maybe just eliminating those signs. I'll throw that out as an option. I'm not necessarily going to move that that be done, but it's just a thought.

Ms. Hitchcock-Sprinzel: Sorry. Thank you Marie. Darren Okimoto.

Mr. Okimoto: How are the signs across the street, the dealership, I guess that's the Ford dealership, how are they illuminated? Are they within the 150-feet?

Mr. Bollin: Our Ford store and the Mazda store do have the same internally illuminated can styled signs and they are currently lit at night.

Mr. Okimoto: Has there been any outreach to the actual residence within that 150-feet to see what their concerns would be?

Mr. Bollin: No. We haven't reached out to anybody. To my knowledge, we haven't had any, any phone calls about the signage. Paul, have you received any written?

Mr. Critchow: No. There has been no comments that I'm aware for any signs along that street.

Mr. Okimoto: Okay. And then the other dealership, the signs are pretty much exactly the same? It will be the same illuminosity and all that stuff?

Mr. Bollin: That's correct. Yes. It's a similar, similar style of lighting that CVS has, McDonald's has, our Ford store has. It's really just enough light to light up the letters of the sign itself.

Mr. Okimoto: Thank you.

Ms. Hitchcock-Sprinzel: Thank you Darren. Mandy?

Ms. Saito: No, I think all three of the previous speakers went over my concerns. I would like to see maybe the outreach to the residents that maybe front Puunene Ave or get some input or see what they would think. Because I understand that there are other businesses with those types of signs, but you're just adding more light so -- that's all I have.

Ms. Hitchcock-Sprinzel: Okay, thank you. Mikal?

Mr. Torgerson: I had a question for staff. How are, what appears to be temporary signs, banner signs that are placed behind the glass inside of showrooms treated in terms of the code? Because I see this dealership has essentially all of the signage they're asking for already just behind their windows and have for quite some time. How is that dealt with?

Mr. Critchlow: The sign Code allows window signs to cover -- I can check your Code quickly -- but I think it covers over 50 percent of the window. If somebody puts a banner or a sign that's more than three-feet on the inside of a window, then it's not considered a sign by Code.

Mr. Torgerson: If it's more than three-feet it's not considered a sign?

Mr. Critchlow: Correct.

Mr. Torgerson: So larger ones are okay, but smaller ones are not?

Mr. Critchlow: I'm pulling up the Code right now.

Mr. Torgerson: Thank you. I guess what I'm getting to is the building is presently covered with what I would consider to be excessive and garish signage. In addition they have strings of flags between their obnoxiously bright light poles, and occasionally park vehicles out in the public right-of-way on the grass. I think everybody knows that this is a car dealership and what kind of cars you represent. And a community creates a level field for signage and advertisement for a reason because everybody that's in business wants as much signage as possible. If the shopping mall could put a sign out in front for every store that's in Kaahumanu Center they would love to do it I'm sure. Every strip mall in the United States would love to cover their frontage with signage for every business that's in there, but we don't let them do it, and we don't let them for good reason. And I practice architecture in

about eight different states in the western United States, and a lot of communities have very strict sign ordinances, and they're very beautiful communities. And I know for a fact that manufacturers do tell dealerships you need to have this kind of signage. I also know that you go into Vail, Colorado, for example, and say I want the signage that the manufacturer says I need. They'll tell you no, and yet there are dealerships in Vail, Colorado, and there are dealerships in Santa Fe, New Mexico that are very beautiful and not covered in signage. So somehow that objection is overcome.

Mr. Bollin: If I could respond to your comment regarding the window graphics. Those will be removed as soon as the signs -- if they are approved -- are installed. Those were put up in lieu of the signs while we waited for the variance. So all those window graphics that you see, those will all be removed.

Mr. Torgerson: Yeah, until the next sale. I mean, it happens all over. Burger King is covered with, you know, whatever Whopper is the Whopper of the month puts it on the inside of theirs, Taco Bells does the same thing, and we end up with a community that's covered in garish signage, essentially trying to avoid getting sign permits.

Mr. Bollin: I think the, the building signs when they're installed are a lot more attractive signs, I will agree with you, than the vinyl signs that have been up there for several years.

Mr. Torgerson: Yeah, that's certainly the case. I guess I've sort of made my, my thoughts known. The backlighting concerns me less than the amount of signage covering the entire building in every make and model of vehicle that you rep seems excessive to me. The parking lot lights are already so bright I doubt that the backlighting of the signs is going to have an impact on the residents other than it just gives them the sense that they live in, you know, sort of a strip mall neighborhood more than they already did. Those are my two cents. Thank you.

Ms. Hitchcock-Sprinzl: Thank you Mikal. So Darren Unemori?

Mr. Unemori: I have no comment.

Ms. Hitchcock-Sprinzl: Okay, and then finally Stuart.

Mr. Marlowe: I think with the time clock aspect and the fact that the manufacturers are requesting that their product be more visible by signage and the compliance that the agency will put into place, I think the variance should be granted and there should be no further issues. Especially the fact that there had been no community involvement, or comments, or criticism thus far. So, my opinion, they should be able -- they should be granted the variance.

Ms. Hitchcock-Sprinzl: Great. Thank you Stuart. So the next item is to ask a staff member to present the Department's recommendation.

Mr. Critchlow: Okay, this is Paul here. I will read the Department's Director's recommendation. Based on the foregoing Findings of Fact, Conclusions of Law, the Director recommends approval of the information signs number one through nine as proposed. The Director recommends denial of the directly illuminated signs. If the Board decides this applicant has met all of the requirements for the granting of the subject variance the Director requests that for the record the Board states the basis on which it finds that each criteria has been met.

If the Board orders that the subject variance be approved the Director recommends the following conditions. One, that the variance be applicable only to the request as approved by, and as reflected in the record of the Board. Two, that the granting of request -- granting of the variance shall not exclude the applicant from obtaining all necessary sign permits.

The Director recommends that the Board adopts the Director's report and recommendation prepared for the May 5<sup>th</sup>, 2020 meeting as its Findings of Fact, Conclusions of Law, Decision and Order, and authorize the Director of Planning to transmit such Decision and Order on behalf of the Board. That's all.

Ms. Hitchcock-Sprinzel: Thank you Paul. So with that -- and I thank you the Board Members for your candid discussion. Do I have a motion on this acceptance of the -- or approval -- I guess really it is our approval of the two variances. One for the information sign, and the other for the indirect lighting.

Ms. Oana: And Chair, just again if you guys do go the way of approving the illumination, you have to put on the record your reasons for saying that the criteria is met to approve the sign. I just wanted to tell you guys to review Section 16.13.170.C.2 which states a variance may be granted for a sign if the following criteria are met. So you're going to have to overcome these three criteria: (a) that unique circumstances or special conditions exist which are peculiar to the land structure or activity involved. Also (b) the proposal is the most practical alternative. (c) the granting of the variance will not be contrary to the purposes of the chapter. And again, the purpose of the chapter is in the beginning of this 16.13 of the Maui County Code.

So if you don't go along with the Department's recommendations, and choose to grant the variance for the illuminated signs, you have to talk about three criteria and why you find that, that the criteria are met.

Ms. Hitchcock-Sprinzel: Okay, thank you. So perhaps we can separate the motions on the two items rather than taking them as one. So if we could have a motion for accepting the variance for the information signs as presented.

Ms. Kimmey: This is Marie. I'll so move that the variance for the signage itself be accepted.

Ms. Hitchcock-Sprinzel: Thank you Marie. And a second please?

Mr. Marlowe: I'll second it; Stu.

Ms. Hitchcock-Sprinzel: Okay, thank you Stuart. So again I'll do the verbal vote. So Peter, in favor?

Mr. Niess: No.

Ms. Hitchcock-Sprinzel: Was that a yes?

Mr. Niess: I don't . . . (inaudible) . . . ten times it.

Ms. Hitchcock-Sprinzel: I'm sorry, opposed?

Mr. Niess: Opposed.

Ms. Hitchcock-Sprinzel: Okay. And this is for the information signs now, not the directly illuminated.

Mr. Niess: That's ten times the area. Opposed to it.

Ms. Hitchcock-Sprinzel: Okay, got it. Okay, Joshua, in favor or opposed?

Mr. Circle-Woodburn: In favor.

Ms. Hitchcock-Sprinzel: Marie?

Ms. Kimmey: In favor.

Ms. Hitchcock-Sprinzel: Darren Okimoto?

Mr. Okimoto: In favor.

Ms. Hitchcock-Sprinzel: Mandy?

Ms. Saito: In favor.

Ms. Hitchcock-Sprinzel: Mikal?

Mr. Torgerson: Opposed.

Ms. Hitchcock-Sprinzel: Darren Unemori?

Mr. Unemori: In favor.

Ms. Hitchcock-Sprinzel: And Stuart.

Mr. Marlowe: In favor.

**It was moved by Ms. Marie Kimmey, seconded by Mr. Stuart Marlowe, then**

**VOTED: To accept the sign variances for the informational signs no. 1-9 as presented.**

*(Assenting: J. Circle-Woodburn, M. Kimmey, S. Marlowe, D. Okimoto, M. Saito, D. Unemori)*

*(Dissenting: P. Niess, M. Torgerson)*

Ms. Hitchcock-Sprinzel: Okay so we have six in favor, and two opposed. So the information signs are approved. And then the second piece was the directly illuminated signs. And I think there was a discussion or a suggestion that they were only illuminated from sunset to 9:00 p.m. which would be accepted to the dealership as one possibility. I think in terms of discussion about -- if I could summarize Jennifer -- that existing conditions with a parking lot lights create more light pollution than the signs would of themselves. So no community input was requested, though, so but there hasn't been any, any community complaints I gather. And please remind me what the third condition was?

Ms. Oana: Okay, and so you can refer to -- I believe this is on page six and seven of your meeting materials, is the Department's report. So the, the criteria there, page six and seven...the first one you have to overcome is that unique circumstances or special conditions exist which are peculiar to the land, structure or activity involved.

Ms. Ms. Hitchcock-Sprinzel: And Mikal said that there was already extensive parking lot lighting that was very bright, and, and way more noticeable after dark than the light that would come from these signs. Did I capture that correctly Mikal?

Mr. Torgerson: I think that reduces my concerns about backlighting the signs. But the three pronged test that you need to meet for a variance, they don't typically accept self-imposed conditions as something unique to a piece of property for the purposes of a variance. Maybe legal counsel could weigh in on that, but that doesn't meet what I would consider to be that.

Ms. Hitchcock-Sprinzel: When I was thinking about it I agree that it would be hard to meet the conditions to, to, you know, grant the variance...without setting a precedent.

Mr. Bollin: If I could add the same Board found the justification for the same variance on our General Motor's project site. And the justification was the unique circumstances that were -- or special conditions that exist which are peculiar to the land which is one TMK with multiple businesses owned by the same owner. And the sign, if it was a strip mall we would be allowed signs under your existing code. But because we have multiple businesses that are owned by one entity on one parcel with one TMK we're kind of forced to go this route. That's the peculiar issue with the parcel itself.

Mr. Critchlow: This is Paul --

Mr. Torgerson: Is that actually . . . (inaudible) . . . whether they could be back lite?

Mr. Critchlow: This is Paul with the Planning Department, may I have -- provide a statement?

Ms. Hitchcock-Sprinzel: Yes.

Mr. Critchlow: So that other variance I was the staff planner on that, and Robert is completely correct in the portion that as far as --. He's completely correct as it relates to signs, information signs of one through nine. If this property here, like the other one, were separate business entities, they could have all of those signs as business ID's without needing any variances as all.

But as far as the directly illuminated, this one is different, and the reason it's different is that other property does not have any residential zoning within a 150-feet. This one does. So the other one did not have the second variance of directly illuminated signs, whereas this one does. So the one difference is the zoning on this one creates the second need where the other one was all business around it. I just wanted to add that.

Ms. Hitchcock-Sprinzel: Thank you Paul for that clarification because I think that's pretty significant. So then I would request a motion to deny the request for the variance for the directly illuminated sign. Is there a motion?

Mr. Torgerson: I'd so move. This is Mikal Torgerson.

Ms. Hitchcock-Sprinzel: Okay. And the second?

Mr. Niess: I'll second that. This is Peter.

Ms. Hitchcock-Sprinzel: Alright. So again I'll do my rounds robin, in favor or opposed. So Peter?

Mr. Niess: I'm in favor of denying it.

Ms. Hitchcock-Sprinzel: Of denying it. Sorry, yes. We're almost in a double negative here. Okay. Joshua?

Mr. Circle-Woodburn: In favor.

Ms. Hitchcock-Sprinzel: Marie?

Ms. Kimmey: In favor.

Ms. Hitchcock-Sprinzel: Darren Okimoto?

Mr. Okimoto: In favor.

Ms. Hitchcock-Sprinzel: Mandy?

Ms. Saito: In favor.

Ms. Hitchcock-Sprinzel: Mikal?

Mr. Torgerson: In favor.

Ms. Hitchcock-Sprinzel: Darren Unemori?

Mr. Unemori: In favor.

Ms. Hitchcock-Sprinzel: And Stuart?

Mr. Marlowe: In favor.

Ms. Hitchcock-Sprinzel: Alright. So it's unanimous that the Board is, is -- recommends denial of the directly illuminated signage because of the -- well, largely because of the residential zoning within 150-feet of the sign. So now that concludes the second item of business, so I'd like to turn it over now for the Director's Report.

Ms. Oana: Well, can I just add one more thing? Could you add another motion --?

Ms. Hitchcock-Sprinzel: Yes, of course.

**It was moved by Mr. Mikal Torgerson, seconded by Mr. Niess, then unanimously**

**VOTED: To accept the denial of the directly illuminated signs as presented.**

*(Assenting: J. Circle-Woodburn, M. Kimmey, S. Marlowe, P. Niess, D. Okimoto, M. Saito, M.*

*Torgerson, D. Unemori)*

Ms. Oana: Could you add another motion that the Board accepts the Department's Report and recommendations as its Findings of Fact, Conclusions of Law, and Decision and Order?

Ms. Hitchcock-Sprinzel: So the motion was -- and if you don't mind repeating that for me.

Ms. Oana: A motion to -- that the Board adopts the Director's report and recommendation prepared for the May 5, 2020 meeting as its Findings of Fact, Conclusions of Law, Decision and Order, and authorize the Director of Planning to transmit the Decision and Order on behalf of the Board.

Ms. Hitchcock-Sprinzel: So thank you. Do I have that motion please?

Mr. Torgerson: I so amend that, I guess, to my motion. Is that the proper way to do that?

Ms. Oana: Well, you guys voted your decisions, but just to make the Department's report and recommendation the actual written document for your decision and order. So it's just one more step that you're approving it as the decision and order.

Mr. Torgerson: Okay, I guess I so move. Alternately I guess I could amend them, the original motion. Whatever you prefer Chair.

Ms. Hitchcock-Sprinzel: I think we're talking about the report now rather than the actual request for variance. So I think it makes sense to, to accept the report...from the Director. So if we could have a motion to accept that report. So Mikal, is that okay with you? You are --

Mr. Torgerson: Yeah, absolutely.

Ms. Hitchcock-Sprinzel: Okay. And a second please?

Ms. Kimmey: I'll second it. This is Marie.

Ms. Hitchcock-Sprinzel: Oh, thank you Marie. Okay, and then again, I guess we need to, to vote. So starting with Peter.

Mr. Niess: Just a quick clarification. The report is separate than this application for a variance?

Ms. Hitchcock-Sprinzel: Yes. Well, Jennifer can clarify.

Ms. Oana: You folks did vote, yes for the informational signs, no for the illuminated signs, so

that is clearly your vote. But if you want -- if you can a vote that the Director's Report is the actual Findings of Fact, Conclusions of Law, and Decision and Order which to me is consistent with the two prior votes that you guys made.

Mr. Niess: Okay. But if I said no, I said no to both, and the report said yes to one and no to the other.

Ms. Oana: Then you can vote no.

Mr. Niess: Okay, I'm going to vote no.

Ms. Hitchcock-Sprinzel: Okay, so Peter?

Mr. Niess: That's a nay. Nay for me.

Ms. Hitchcock-Sprinzel: Okay. Joshua?

Mr. Circle-Woodburn: In favor.

Ms. Hitchcock-Sprinzel: Okay, Marie?

Ms. Kimmey: Well, I think we're just accepting the fact that we received the report, so I'll vote in favor.

Ms. Hitchcock-Sprinzel: Okay. Darren Okimoto?

Mr. Okimoto: In favor.

Ms. Hitchcock-Sprinzel: Mandy?

Ms. Saito: In favor.

Ms. Hitchcock-Sprinzel: Mikal?

Mr. Torgerson: In favor.

Ms. Hitchcock-Sprinzel: Darren Unemori?

Mr. Unemori: In favor.

Ms. Hitchcock-Sprinzel: And Stuart.

Mr. Marlowe: In favor.

**It was moved by Mr. Mikal Torgerson, seconded by Ms. Marie Kimmey, then unanimously**

**VOTED: To accept the department's report and recommendation as presented.**

*(Assenting: J. Circle-Woodburn, M. Kimmey, S. Marlowe, D. Okimoto, M. Saito, M. Torgerson, D. Unemori)*

*(Dissenting: P. Niess)*

Ms. Hitchcock-Sprinzel: Okay, wonderful. Thank you. So the motion is carried. One opposed. So now again, let's try the Director's Report, Clayton.

## **C. DIRECTOR'S REPORT**

### **1. Agenda items for the June 2, 2020 meeting.**

Mr. Yoshida: Thank you Madame Chair. The next meeting is scheduled for June 2<sup>nd</sup>. We have several items that want to be scheduled, but -- such as the Wailuku Hotel on Main Street, the expansion of the -- additions to the Lahaina Cannery Mall in West Maui, faculty housing at Seabury Hall, and a building addition at the Hui No'eau Visual Arts Center. It may -- which ones get scheduled -- may depend on what mode we're going to use to communicate, if it's going to be through video conferencing or having a meeting. But there is demand out there for items to be reviewed by the Design Review Board. So we probably will know maybe about two weeks before the meeting which items will be scheduled.

## **D. NEXT MEETING DATE: June 2, 2020**

## **E. ADJOURNMENT**

Ms. Hitchcock-Sprinzel: Thank you very much Clayton. So with that I want to thank everyone immensely with all of the presenters and the Board Members for, for your discussions and questions. It was really interesting, so thank you for your time. And with that, the meeting is adjourned.

Mr. Bollin: Can I ask a quick question before you adjourn?

Ms. Hitchcock-Sprinzel: Yes, go ahead.

Mr. Bollin: Where did you guys come out on illuminating the signs or not?

Ms. Hitchcock-Sprinzel: That particular request for a variance for the directly illuminated sign was denied.

Mr. Bollin: Okay. Even, even with the time clock aspect?

Ms. Hitchcock-Sprinzel: Yes.

Mr. Bollin: Okay.

Ms. Hitchcock-Sprinzel: Because of the -- yes. Okay, thank you everyone. That's it for the meeting for today. I appreciate all of you being here.

There being no further discussion brought forward to the Board, the meeting was adjourned at 11:47 a.m.

Respectfully submitted by,

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

### **RECORD OF ATTENDANCE**

#### **PRESENT:**

Joshua Circle-Woodburn (alternate)  
Caryl Hitchcock-Sprinzel, Chair  
Marie Kimmey  
Stuart Marlowe  
Peter Niess, Vice-Chair  
Darren Okimoto  
Mandy Saito  
Darren Unemori  
Mikal Torgerson

#### **OTHERS:**

Clayton Yoshida, Planning Program Administrator, Current Planning Division  
Tara Furukawa, Staff Planner  
Paul Critchlow, Staff Planner  
David Yamashita, Staff Planner, Department of Parks and Recreation  
Jennifer Oana, Deputy Corporation Counsel

Urban Design Review Board  
Minutes -- May 5, 2020  
Page 38

Kristina Toshikiyo, Deputy Corporation Counsel