

RICHARD T. BISSEN, JR.
Mayor

KATE L. K. BLYSTONE
Director



DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

March 25, 2024

Honorable Richard T. Bissen Jr.
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

For Transmittal to:

Honorable Alice L. Lee, Chair
and Members of the Maui County Council
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Lee and Members:

SUBJECT: APPLICATION FOR A CHANGE IN ZONING (CIZ) (CONDITIONAL) FOR THE HĀNA STORE STORAGE BUILDING (OLD LAUNDRY) ADJACENT TO THE HĀNA-MAUI RESORT LOCATED ON APPROXIMATELY 21,711 SQUARE FEET OF LAND AT 9 KEAWA PLACE, HĀNA, MAUI, HAWAII, IDENTIFIED BY TAX MAP KEY: (2) 1-4-013:001 (ZPA2022-00001)

The Department of Planning (Department) is transmitting for your review and action the Change in Zoning (CIZ) (Conditional) from Urban Reserve to Business Country Town for the Hāna Store Storage Building (known as the Old Laundry) across the street from the Hāna-Maui Resort. This rezoning will reestablish limited legal commercial uses on this property, a site with more than 100 years of different business activities, including the use of the historic stone building adjacent to Hāna Highway. This application has been reviewed by the Hāna Advisory Committee (HAC) in public hearing and by the Maui Planning Commission (MPC), both giving the recommendation for approval of the CIZ with conditions. The overall project goal is to provide a zoning district for the property so that appropriate commercial uses may once again be conducted in a renovated historic building. No new buildings are proposed. The rehabilitation and use of the historic building will result in the restoration of a piece of Hāna's past in concert with the goals and objectives of the Hāna Community Plan.

A summary of the application is as follows:

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COUNTY CLERK

Honorable Richard T. Bissen, Jr., Mayor
 For Transmittal to:
 Honorable Alice L. Lee, Chair
 March 25, 2024
 Page 2

APPLICATION SUMMARY			
Application - CIZ	The Change in Zoning Amendment (Conditional) along with an updated map reflecting the change by TMK is outlined in Table A below.		
	Table A. Summary of map associated with proposed change by TMK for the Maui County Zoning Designation.		
	TMK	Maui County Zoning	
	Existing	Proposed	
(2) 1-4-013:001	Urban Reserve	Business Country Town	L-1620
Applicant	Mani Hāna Resort (DE) LLC		
Owner	Mani Hāna Resort (DE) LLC		
Tax Map Key	(2) 1-4-013:001		
Address	9 Keawa Place, Hāna, Maui, Hawaii		
Area	21,711 Square Feet		
Land Use Designations	State Land Use District - Urban Maui Island Plan - Small Town Growth Boundary Hāna Community Plan - Business/Commercial Maui County Zoning - Proposed Business Country Town from current Urban Reserve. This change would make zoning consistent with the Hāna Community Plan		
Brief Description	The Applicant is requesting a CIZ from Urban Reserve to Business Country Town on a single lot to permit limited legal commercial uses and to make zoning consistent with the Hāna Community Plan designation of Business/Commercial.		
Public Hearing	Held by HAC on June 19, 2023, via BlueJeans Video conferencing platform. A site visit was held by the HAC on September 28, 2023, at which meeting unanimous approval to recommend the CIZ was concluded. The MPC heard the item on February 13, 2024, and affirmed by unanimous vote a recommendation for approval of the CIZ.		
Testimony	Time for verbal testimony was offered during the public hearing and at subsequent meetings.		
Recommendation	The HAC recommended approval of the proposed application for a CIZ with conditions and the MPC reaffirmed that decision for approval with conditions.		

The HAC conducted a public hearing on the subject application at its June 19, 2023, meeting, recommending approval to the Council at its September 28, 2023, meeting subject to the conditions stated as follows:

Permitted Uses	Criteria or limitations
Amusement and recreational activities	Provided that such uses shall be permitted by the Hāna Advisory Committee and Maui Planning Commission as applicable

Honorable Richard T. Bissen, Jr., Mayor
 For Transmittal to:
 Honorable Alice L. Lee, Chair
 March 25, 2024
 Page 3

Art and culturally appropriate music studios	
Eating and drinking establishments that are locally owned and operated	Provided that such uses shall be permitted by the Hāna Advisory Committee and Maui Planning Commission as applicable
General merchandising	
General office	
Hardware, feed, and garden stores	Provided that feed and fertilizer are kept within an enclosed building
Libraries	
Museums	
Parking lots	If associated with another permitted use on the property or as allowed by an off-site parking permit
Personal and business services	Printing establishments shall be conducted within an enclosed building
Warehouse facilities associated with a permitted use within the District or with the primary hotel within the Urban District in Hāna	
Other similar businesses or commercial enterprises or activities that are not detrimental to the welfare of the surrounding area or to the historic character of the site	Provided that such uses shall be permitted by the Hāna Advisory Committee and Maui Planning Commission as applicable

Inasmuch as Council approval is required for the Change in Zoning, the Department transmits the subject application to the Council for consideration. Accordingly, attached for your review are the following documents:

1. Proposed bill entitled, "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM URBAN RESERVE TO BUSINESS COUNTRY TOWN (CONDITIONAL) FOR APPROXIMATELY 21,711 SQUARE FEET IN HĀNA, MAUI, HAWAII, IDENTIFIED AS TAX MAP KEY (2) 1-4-013:001,"
2. Letter from Kate L.K. Blystone, Planning Director, to Mr. William Spence, Consultant, dated February 27, 2024, with the Maui Planning Commission's recommendation for Council approval of the Change in Zoning with conditions.
3. Department's Staff Report and Recommendation to the MPC, dated February 13, 2024, containing a copy of the Department's Report and Recommendation to the HAC dated June 19, 2023 and the Recommendation Reprint dated September 28, 2023, due to a deferred meeting to allow the HAC

Honorable Richard T. Bissen, Jr., Mayor
For Transmittal to:
Honorable Alice L. Lee, Chair
March 25, 2024
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members to conduct a site visit. Please note that the HAC minutes of the June 19, 2023 public hearing, the September 28, 2023 HAC site visit, and the September 28, 2023 HAC decision making meeting are included in this Report.

4. MPC minutes of the February 13, 2024, meeting.
5. MAPPS Application and Additional Documents for the Change in Zoning.

Thank you for your attention to this matter. Should you have any questions, please transmit them to the Department of Planning via transmittal through the Office of the Mayor.

Sincerely,



KATE L. K. BLYSTONE
Planning Director

Attachments

xc: Danny A. Dias, Planning Program Administrator (PDF)
Jordan E. Hart, Planning Program Administrator (PDF)
Kurt F. Wollenhaupt, Planner (PDF)

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RICHARD T. BISSEN, JR.
Mayor

KATE L. K. BLYSTONE
Acting Planning Director



DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

February 27, 2024

Mr. William Spence
William Spence & Associates
P.O. Box 880267
Pukalani, Hawaii 96788

Dear Mr. Spence:

SUBJECT: MAUI PLANNING COMMISSION RECOMMENDATION OF APPROVAL FOR A CHANGE OF ZONING APPLICATION FOR THE HANA STORE STORAGE BUILDING (OLD LAUNDRY) PROJECT ON 21,711 SQUARE FEET OF LAND, LOCATED AT 9 KEAWA PLACE, HANA, MAUI, HAWAII; TMK: (2) 1-4-013:001 (ZPA2022-00001)

At a regular meeting on February 13, 2024, the Maui Planning Commission (Commission) reviewed the above application, received public testimony, and after due deliberation, recommended the Maui County Council's (Council) approval of the Change of Zoning (COZ) with conditions for the Hana Store Storage Building (Old Laundry) project. The COZ will be forwarded to the County Council for review and decision-making.

The COZ will change the Zoning District from "Urban Reserve" on the parcel to "B-CT Business Country Town" making the zoning consistent with the parcel's community plan designation of Business/Commercial and is subject to approval by the Council and to the following conditions:

That the permitted uses shall be limited to those outlined in the following table:

Permitted Uses	Criteria or limitations
Amusement and recreational activities	Provided that such uses shall be permitted by the Hana Advisory Committee and Maui Planning Commission as applicable
Art and culturally appropriate music studios	
Eating and drinking establishments that are locally owned and operated	Provided that such uses shall be permitted by the Hana Advisory Committee and Maui Planning Commission as applicable

Mr. William Spence
February 27, 2024
Page 2

General merchandising	
General office	
Hardware, feed, and garden stores	Provided that feed and fertilizer are kept within an enclosed building
Libraries	
Museums	
Parking lots	If associated with another permitted use on the property or as allowed by an off-site parking permit
Personal and business services	Printing establishments shall be conducted within an enclosed building
Warehouse facilities associated with a permitted use within the District or with the primary hotel within the Urban District in Hana	
Other similar businesses or commercial enterprises or activities that are not detrimental to the welfare of the surrounding area or to the historic character of the site	Provided that such uses shall be permitted by the Hana Advisory Committee and Maui Planning Commission as applicable

Should additional clarification be required, please contact Staff Planner Kurt Wollenhaupt at kurt.wollenhaupt@mauicounty.gov or at (808) 270-1789.

Sincerely,



KATE L.K. BLYSTONE
Acting Planning Director

xc: Danny A. Dias, Planning Program Administrator (PDF)
Jordan E. Hart, Planning Program Administrator (PDF)
Kurt Wollenhaupt, Staff Planner (PDF)
William Spence, Consultant, William Spence & Associates (PDF)
Conrad Hunton, Architect (PDF)

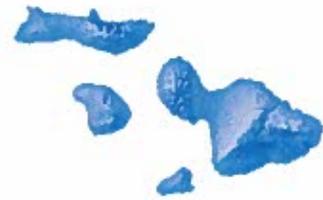
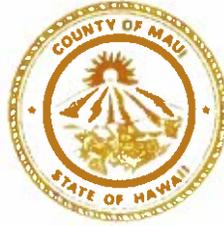
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RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Acting Managing Director

GARRETT E. SMITH
Acting Director



**DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793**

February 13, 2024

Ms. Kellie Pali, Chair
and Members of the Maui Planning Commission
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

Dear Chair Pali and Members:

SUBJECT: HANA ADVISORY COMMITTEE RECOMMENDATION TO THE MAUI PLANNING COMMISSION TO RECOMMEND APPROVAL TO THE COUNTY COUNCIL OF THE CHANGE OF ZONING FOR THE HANA STORE STORAGE BUILDING (OLD LAUNDRY) PROJECT ON 21,711 SQUARE FEET OF LAND, LOCATED AT 9 KEAWA PLACE, HANA, MAUI, HAWAII; TMK: (2) 1-4-013:001 (ZPA2022-00001)

A public hearing was held before the Hana Advisory Committee (HAC) On June 19, 2023, at which the HAC voted to defer the meeting to allow for a site visit. A site visit and subsequent HAC meeting were held on September 28, 2023, and the HAC unanimously voted to recommend approval subject to the conditions as stated in the Planning Department's Report and Recommendation as amended by the HAC and noted as the following:

The Change of Zoning will change the Zoning District from "Urban Reserve" on the parcel to "B-CT Business Country Town" and is subject to approval by the Council and to the following amended conditions:

That the permitted uses shall be limited to those outlined in the following table:

Permitted Uses	Criteria or limitations
Amusement and recreational activities	Provided that such uses shall be permitted by the Hana Advisory Committee and Maui Planning Commission as applicable
Art and culturally appropriate music studios	
Eating and drinking establishments that are locally owned and operated	Provided that such uses shall be permitted by the Hana Advisory Committee and Maui Planning Commission as applicable
General merchandising	
General office	

Ms. Kellie Pali, Chair
 and Members of the Maui Planning Commission
 February 13, 2024
 Page 2

Hardware, feed, and garden stores	Provided that feed and fertilizer are kept within an enclosed building
Libraries	
Museums	
Parking lots	If associated with another permitted use on the property or as allowed by an off-site parking permit
Personal and business services	Printing establishments shall be conducted within an enclosed building
Warehouse facilities associated with a permitted use within the District or with the primary hotel within the Urban District in Hana	
Other similar businesses or commercial enterprises or activities that are not detrimental to the welfare of the surrounding area or to the historic character of the site	Provided that such uses shall be permitted by the Hana Advisory Committee and Maui Planning Commission as applicable

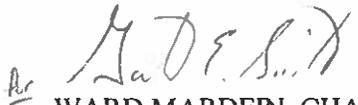
Transmitted for your review and consideration are the following:

1. The Department’s Report and Recommendation to the HAC dated June 19, 2023 and the Recommendation Reprint dated September 28, 2023, due to a deferred meeting to allow the HAC members to conduct a site visit. **(ATTACHMENT 1)**
2. Minutes of the June 19, 2023, public hearing; September 28, 2023, site visit; and, September 28, 2023, public meeting. **(ATTACHMENT 2)**

The Hana Advisory Committee requests that the Maui Planning Commission affirm the decision to recommend approval of the Change of Zoning to the Maui County Council.

Should additional clarification be required, please contact Staff Planner Kurt Wollenhaupt at kurt.wollenhaupt@mauicounty.gov or (808) 270-1789.

Sincerely,


 WARD MARDFIN, CHAIR
 Hana Advisory Committee

Attachments: Department Report and Recommendation and HAC June 19, 2023 Meeting Minutes
 xc: Garrett E. Smith, Acting Planning Director (PDF)
 Danny A. Dias, Planning Program Administrator (PDF)
 Jordan E. Hart, Planning Program Administrator (PDF)
 Kurt Wollenhaupt, Staff Planner (PDF)
 Ward Mardfin, Chair, Hana Advisory Committee (PDF)
 William R. Spence, Consultant, William Spence & Associates (PDF)

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BEFORE THE HANA ADVISORY COMMITTEE
TO THE MAUI PLANNING COMMISSION
COUNTY OF MAUI
STATE OF HAWAII

In the Matter of the Application of
MANI HANA RESORT (DE) LLC
Hana Store Storage Building Rezoning

To Obtain a Change of Zoning for the Hana
Store Storage Building Project Located on
Approximately 21,711 Square Feet of Land at
9 Keawa Place identified as Maui Tax Map Key
No. (2)1-4-013:001; Hana, Hawai'i

DOCKET NO. ZPA2022-00001
MANI HANA RESORT (DE) LLC
(K. Wollenhaupt)

DEPARTMENT OF PLANNING
RECOMMENDATION REPRINT
JUNE 19, 2023 MEETING
SEPTEMBER 28, 2023 MEETING

CP Zoning Plan Amendment

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September 28, 2023 docx

RECOMMENDATION

The Planning Department recommends approval of the Change of Zoning for the subject application.

CHANGE OF ZONING

The Change of Zoning will change the Zoning District from "Urban Reserve" on the parcel to "B-CT Business Country Town" and is subject to approval by the Council and to the following amended conditions:

1. That the permitted uses shall be limited to those outlined in the following table:

Permitted Uses	Criteria or limitations
Amusement and recreational activities	If compatible with the historic character of the site and conducted wholly within a completely enclosed building
Art and music studios	
Eating and drinking establishments that are locally owned and operated	Corporate chains or franchises are subject to review and approval by the appropriate planning commission
General merchandising	
General office	
Hardware, feed, and garden stores	Provided that feed and fertilizer are kept within an enclosed building
Libraries	
Museums	
Parking lots	If associated with another permitted use on the property or as allowed by an off-site parking permit
Personal and business services	Printing establishments shall be conducted within an enclosed building
Warehouse facilities associated with a permitted use within the District or with the primary hotel within the Urban District in Hana	
Other similar businesses or commercial enterprises or activities that are not detrimental to the welfare of the surrounding area or to the historic character of the site	Provided that such uses shall be approved by the appropriate planning commission as conforming to the intent of this article

For reference a draft proposed Bill for an Ordinance on the Change of Zoning, the metes and bounds of the property, and the proposed Zoning Map are shown in Exhibit 16 .

In consideration of the foregoing, the Planning Department recommends that the Hana Advisory Committee adopt the Planning Department's Report and Recommendation prepared for the June 19th, 2023, meeting as the Findings of Fact, Conclusion of Law and Decision and Order and authorize the Director of Planning to transmit said Report and Recommendation to the Maui Planning Commission and to the Maui County Council.

APPROVED:


KATHLEEN ROSS AOKI
Planning Director

ORDINANCE NO. _____

BILL NO. _____ (2022)

A BILL FOR AN ORDINANCE TO CHANGE ZONING
FROM URBAN RESERVE TO B-CT COUNTRY TOWN BUSINESS DISTRICT
(CONDITIONAL ZONING) FOR PROPERTY SITUATED AT HANA, MAUI,
HAWAII, TAX MAP KEY (2) 1 4 013:001

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. In accordance with Chapters 19.15 and 19.510, Maui County Code, a change in zoning from Interim District to B-CT Country Town Business District (conditional zoning) is granted for the certain real property situated at Hana, Maui, Hawaii, and identified for real property tax purposes as tax map key (2) 1-4-013:0001, containing an area of 21,711 square feet, more or less, and more particularly described in Exhibit "1," which is attached and incorporated into this ordinance, and on Land Zoning Map _____ in Exhibit "2", which is on file in the Office of the County Clerk of the County of Maui and incorporated into this ordinance, and subject to the conditions established in Exhibit "3."

SECTION 2. In accordance with Section 19.510.050, Maui County Code, the zoning granted by this ordinance is subject to the conditions established in Exhibit "3," which is incorporated into this ordinance, and the Unilateral Agreement and Declaration of Conditional Zoning, which is attached and incorporated into this ordinance as Exhibit "4."

SECTION 4. This ordinance takes effect upon its approval.

1031 16

APPROVED AS TO FORM
AND LEGALITY:

Department of the Corporation
Counsel County of Maui

EXHIBIT "I"

LAND DESCRIPTION

Lot 1
Of

HANA RANCH HOUSELOTS SUBDIVISION (FILE PLAN 866)

All of that certain parcel of land, being Lot 1 of HANA RANCH HOUSELOTS SUBDIVISION (FILE PLAN 866) being portions of Grant 883 to G P. Judd and Royal Patent 3108, Land Commission award 419:1 to Kawainui, situated on easterly side of Hana Highway, Wananalua, Hana, Island and county of Maui, State of Hawaii and being more particularly described as follows:

Beginning at the northwesterly corner of this parcel of land on the easterly boundary of Hana Highway, said corner also being the southwest corner of Lot 9 of "HANA RANCH HOUSELOTS SUBDIVISION" (FILE PLAN 866), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAUIKI", being:

382.20 feet North
2122.77 feet West

and running by azimuths measured clockwise from true South:

- | | | | |
|----|---|-------------|--|
| 1. | 250°30' | 107.91 feet | along the southerly line of Lot 9 of "HANA RANCH HOUSELOTS SUBDIVISION" to the Southeasterly corner of lot 10; thence, |
| 2. | 256°00' | 16.77 feet | along Lot 10 to the northwest corner of Lot 2 of "HANA RANCH HOUSELOTS SUBDIVISION"; thence, |
| 3. | 340°30' | 162.34 feet | along the westerly line of Lot 2 of "HANA RANCH HOUSELOTS SUBDIVISION" to a point on the northerly boundary line of Keawa Place; thence, |
| 4. | 64°30' | 107.94 feet | along the northerly boundary line of Keawa place; thence, |
| 5. | along same, along a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being: | | |
| | 113°04'30" | 29.99 feet | To a point on the easterly boundary right of way of Hana Highway, thence, |
| 6. | 161°39' | 122.86 feet | along the easterly boundary of Hana Highway; thence, |

7 164'44" 32 19 feet

along same to the point of beginning and
containing 21,711 square feet of land more or
less

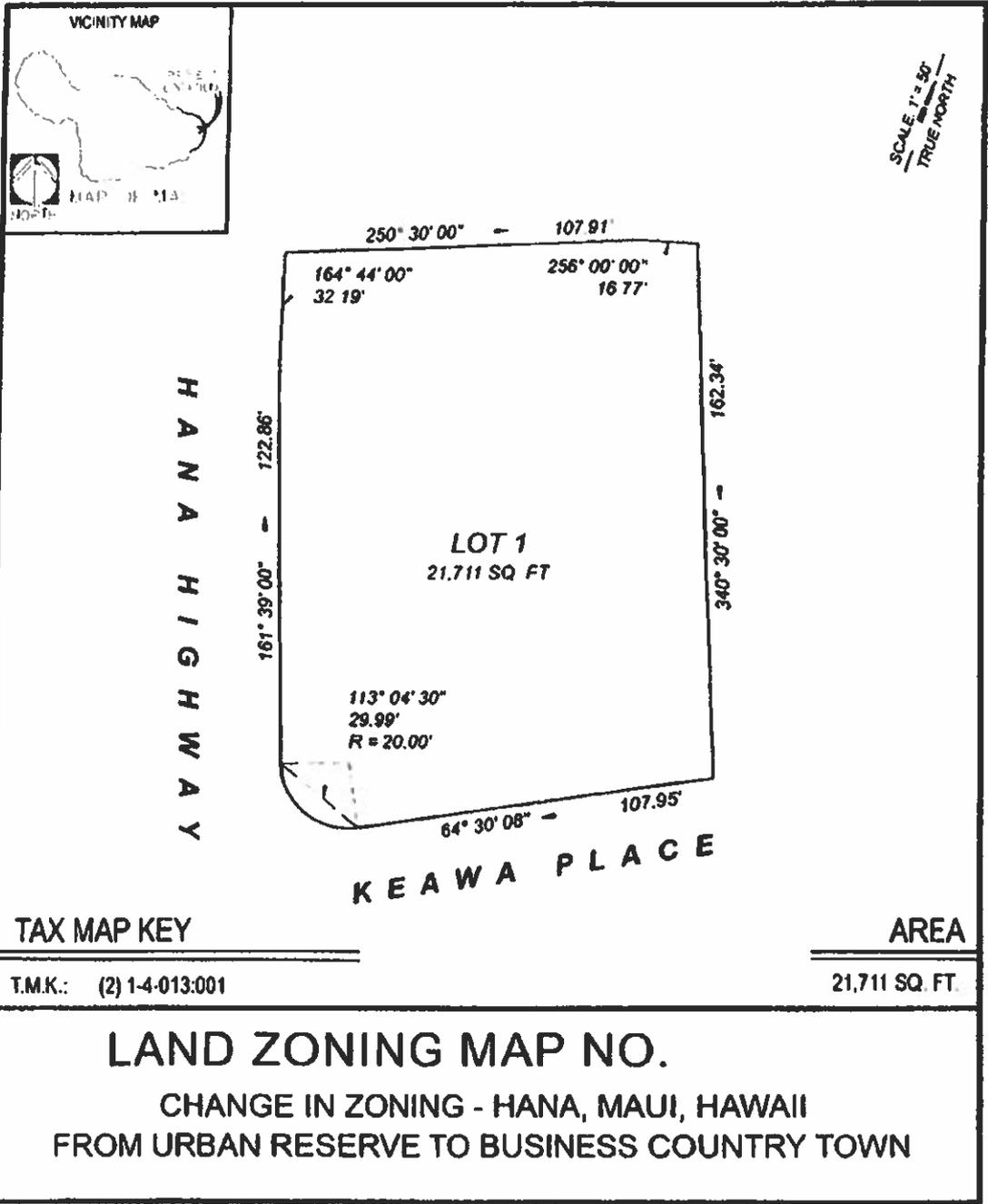
Prepared by: Maui Land Surveyors LLC
Date: September 1, 2021

This work was prepared by me or under my direct supervision

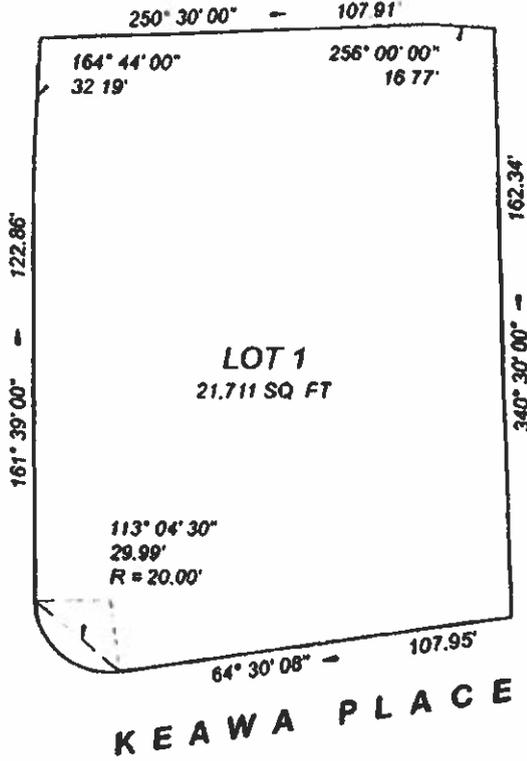
Allen Hale
Licensed Professional Land Surveyor
State of Hawai'i Certification Number LS18574
License Expiration Date: April 30, 2022



EXHIBIT "2"



SCALE 1" = 50'
 TRUE NORTH



TAX MAP KEY

T.M.K.: (2) 1-4-013:001

AREA

21,711 SQ. FT.

EXHIBIT "3"

CONDITIONS OF ZONING

1 That the permitted uses shall be limited to those outlined in the following table

Permitted Uses	Criteria or limitations
Amusement and recreational activities	If compatible with the historic character of the site and conducted wholly within a completely enclosed building
Art and music studios	
Eating and drinking establishments that are locally owned and operated	Corporate chains or franchises are subject to review and approval by the appropriate planning commission
General merchandising	
General office	
Hardware, feed, and garden stores	Provided that feed and fertilizer are kept within an enclosed building
Libraries	
Museums	
Parking lots	If associated with another permitted use on the property or as allowed by an off-site parking permit
Personal and business services	Printing establishments shall be conducted within an enclosed building
Warehouse facilities associated with a permitted use within the District or with the primary hotel within the Urban District in Hana	
Other similar businesses or commercial enterprises or activities that are not detrimental to the welfare of the surrounding area or to the historic character of the site	Provided that such uses shall be approved by the appropriate planning commission as conforming to the intent of this article

BEFORE THE HANA ADVISORY COMMITTEE
TO THE MAUI PLANNING COMMISSION
COUNTY OF MAUI
STATE OF HAWAII

In the Matter of the Application of

MANI HANA RESORT (DE) LLC

Hana Store Storage Building Rezoning

To Obtain a Change of Zoning for the Hana Store Storage Building Project Located on Approximately 21,711 Square Feet of Land at 9 Keawa Place identified as Maui Tax Map Key No. (2)1-4-013:001; Hana, Hawai'i

DOCKET NO. ZPA2022-00001

MANI HANA RESORT (DE) LLC

(K. Wollenhaupt)

(A. Biniaris)

DEPARTMENT OF PLANNING
REPORT AND RECOMMENDATION
JUNE 19, 2023 MEETING

CP Zoning Plan Amendment

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BEFORE THE HANA ADVISORY COMMITTEE
TO MAUI PLANNING COMMISSION
COUNTY OF MAUI
STATE OF HAWAII

In the Matter of the Application of

MANI HANA RESORT (DE) LLC

Hana Store Storage Building Rezoning

To Obtain a Change of Zoning for the Hana Store Storage Building Project Located on Approximately 21,711 Square Feet of Land at 9 Keawa Place identified as Maui Tax Map Key No. (2)1-4-013:001; Hana, Hawai'i

DOCKET NO. ZPA2022-00001

MANI HANA RESORT (DE) LLC

(K. Wollenhaupt)
(A. Biniaris)

DESCRIPTION OF THE PROJECT

This matter arises from an application for a Change of Zoning filed by William R. Spence (Consultant) on behalf of Mani Hana Resort (DE) LLC (Applicant) on July 1, 2022. The project under review is known as the Hana Store Storage Building or the "Old Laundry Building" rezoning located at 9 Keawa Place in Hana. This rezoning will reestablish legal commercial uses on this property, a site with more than 100 years of different business activities, including the use of the historic stone building adjacent to Hana Highway. The property was rezoned from Interim to Urban Reserve in 1997 with the thought that there should be some additional community input before establishing permanent business zoning. This would be consistent with the current Hana Community Plan designation of Business/Commercial. The proposal under review is a change of zoning to Business Country Town (B-CT) with conditions attached thereto to limit uses compatible with the neighborhood character, the historical building, and unique site location adjacent to the Hana Hotel. The overall project goal is to provide a zoning district for the property so that appropriate commercial uses may once again be conducted in a renovated historic building. Returning the property to legally permitted commercial uses requires that the zoning be changed. As proposed only some of the permitted B-CT uses are appropriate for this property, such as retail, general office, museums, art and music studios, and other activities may be appropriate with further review by the County. Therefore, this application is a request for Conditional Zoning.

No new buildings are proposed. Only the rehabilitation of existing structures and the parking area are proposed and such activities are covered under Special Management Area (SMA) assessment and building permit processes. The rehabilitation and use of the historic property will result in the restoration of a piece of Hana's past in concert with the goals and objectives of the

Hana Community Plan. Additionally, the preliminary site plan shows 13 parking spaces for uses on the property. For reference please see **Exhibit 1** for a location map, **Exhibit 2** for Site Photographs, and **Exhibit 3** for the Master Site Plan with Parking and Elevations. Again, the purpose of this application is to restore limited and specific commercial uses to this property.

HISTORY OF APPLICATION

The Hana Resort Hotel and the owners have initiated cleanup of the site and rehabilitation of the buildings. SMA applications for their renovation and improvement have been completed along with a review by the Cultural Resources Commission. The renovations include:

- Repair of the exterior and interior wall plaster as needed, and repainting of the building. A laboratory was retained to ensure the plaster used for repairs and the historic plasters are compatible.
- Replacement of the louvered windows to more "period-correct" wooden sash windows. The steel-framed awning windows in the later building addition will be reglazed.
- The interior floor is broken in many places from the hotel laundry days. The old plumbing will be filled and the floor repaired. New, "to-code" plumbing and electrical will be installed.
- A new corrugated, insulated roof will be installed.
- The wooden storage structure at the rear of the property was approved for renovation.
- The single bathroom will be restored.
- The old pavement will be removed and replaced mostly with gravel.

The property has more than 100 years of commercial use. As the name indicates, it was first used in conjunction with a general store, one of the two original stores in Hana. The stone building that stands today was not the store itself, but it was constructed as secure, fireproof storage and was adjacent to the store. The nomination form to the State Register of Historic Places suggests that it was converted into the hotel laundry during the years of Paul Fagan, roughly in the late 1940s and into the early 1950s.

Records available on the County's website imply the structure may have been used for several commercial uses. Building permit 389 from February 22, 1977, indicates the area of the "laundry/boiler" would be occupied by a "gift shop/deck." In 2010, former owner Travassa closed the laundry operation because of Environmental Protection Agency regulations addressing large capacity cesspools. The cesspool was closed and filled with concrete shortly thereafter.

The wooden storage building has been used for many things. Building permit 387 refers to the "warehouse/garage" to be occupied as a "beauty shop/laundry." This building was enclosed in 1968 with 608 square feet of interior space. An SMA permit from the 1990s indicate this building was used for the hotel's personnel and housekeeping offices. The same permit provided for the upgrading of the parking lot, placement of two shipping containers, and construction of a golf cart garage. This structure is still used for limited hotel storage. As it is today, the building is not very secure and does not protect its contents from the weather.

The Applicants are following the Hana Community Plan and propose to restore commercial uses by rezoning the property. Although the 1994 community plan designates the property "business/commercial", the property was zoned from Interim to Urban Reserve in 1997 by Ordinance 2597. Urban Reserve is found in Chapter 19.69 Maui County Code (MCC) with a portion of the General Purpose and Intent section indicating "Accommodating a reserve of lands in the state urban district for future development which is consistent with the community plan designation for these lands." The formative idea in 1997 was because Hana is a small town and this property is significant, there would be business zoning at some time, but additional review should be required.

Urban Reserve is one of the most restrictive zoning districts within Title 19, not allowing much more than a single-family home, utilities, and agriculture. None of these are particularly desirable for this historic site.

Returning the property to commercial uses requires a change of zoning complimentary to the community plan uses of "retail stores, offices, entertainment enterprises, and related accessory uses." B-CT conditional zoning limiting permitted uses to only some of those listed in the B-CT district is the appropriate zoning district for this parcel.

DESCRIPTION OF THE PROPERTY

1. The Property, which is approximately 21,711 square feet, is located 9 Keawa Place, Hana, Maui at Maui Tax Map Key (TMK) (2)1-4-013:001, Hana, Maui, Hawaii.
2. Land Use Designations --
 - a. State Land Use District -- Urban
 - b. Maui Island Plan -- Small Town Growth Boundary
 - c. Hana Community Plan -- Business/Commercial
 - d. County Zoning -- UR Urban Reserve)
3. Surrounding Uses --

North --	Single family residences
East --	Single family residences
South --	Hana Hotel Resort
West --	Hana Highway and open pasture land
4. The subject parcel is approximately 103 to 107 above Mean Sea Level. The parcel is located in Flood Zone X and XS which are areas with low to very low probability of flooding. The parcel is outside of the tsunami hazard zone and outside of the 3.2 foot sea level rise exposure area.

The site is relatively flat with any grading taking place when the original commercial store buildings were constructed more than 100 years ago. There will be no grading as a result of the change of zoning. No grading will take place with the improvements as outlined in the SMA review. The soil is "Hana silty clay loam."

There are no particular natural features as the site has been developed for over 100 years.

The site has some plants common to the Hana area, including weeds, grasses, some banana trees and a Banyan tree. New landscaping will be installed with improvements.

The primary building is the historic stone/mortar building from approximately the 1890s, and is on the State Register of Historic Places (Site No. 50-13-1628). It was a fireproof and secure storage building for what was a much larger complex of wooden buildings that made up one of the original general stores. The site also has a wooden storage building, and what was formerly a tool shed.

APPLICABLE REGULATIONS FOR A CHANGE IN ZONING

Pursuant to Title 19, Chapter 19.510, General Application Procedures, Section 19.510.010(C), the Planning Director has determined that the application and Department Report meets the requirements of Section 19.510.010(D).

Pursuant to Title 19, Chapter 19.510, Section 19.510.040 Change of Zoning of the Maui County Code, the appropriate planning commission shall hold a public hearing on all applications for zoning changes and make a recommendation to the County Council. The County Council may grant a change of zoning if all the following criteria are met:

1. *The proposed request meets the intent of the general plan and the objectives and policies of the community plans of the county;*
2. *The proposed request is consistent with the applicable community plan land use map of the county;*
3. *The proposed request meets the intent and purpose of the district being requested;*
4. *The application, if granted, would not adversely affect or interfere with public or private schools, parks, playgrounds, water systems, sewage and solid waste disposal, drainage, roadway and transportation systems, or other public requirements, conveniences and improvements;*
5. *The application, if granted, would not adversely impact the social, cultural, economic, environmental, and ecological character and quality of the surrounding area; and*
6. *If the application change in zoning involves the establishment of an agricultural district with a minimum lot size of two acres, an agricultural feasibility study shall be required and reviewed by the Department of Agriculture and the United States Soil and Conservation Service.*

In the case in which the owners or lessees of forty percent or more of the land located within a five-hundred-foot distance from the boundaries of the subject parcel have filed written protests, the ordinance which grants the application shall not become effective unless approved by a vote of seven members of the County Council.

Pursuant to Title 19, Chapter 19.510, Section 19.510.050 Conditional zoning of the Maui County Code, the County Council may impose conditions upon the applicant's use of the property. The conditions shall be imposed if the Council finds them necessary to prevent circumstances which may be adverse to the public health, safety and welfare. The conditions shall be reasonably conceived to mitigate the impacts emanating from the proposed land and shall meet the following criteria:

1. That the public shall be protected from the potentially deleterious effects of the proposed use; and
2. That the need for public services created by the proposed use shall be fulfilled.

PROCEDURAL MATTERS

1. On June 29, 2022, the Applicant mailed a "Notice of Application" to all owners and recorded lessees within 500 ft. of the subject property notifying them of the applicant's intent to file the application with the County of Maui. A copy of the "Notice of Application" is on file in the Maui Planning Department and noted as **Exhibit 4**.

2. On April 18, 2023, the Maui County Planning Department mailed a notice to the applicant and appropriate state and county agencies notifying them of the scheduled public hearing.

3. On May 16, 2023, the Applicant mailed a letter of notification and location map to all owners and recorded lessees within 500 ft. of the subject property describing the application and notifying them of the scheduled hearing date, time and place by either certified or registered mail receipt. Copies of the letter, location map, list of owners and recorded lessees, certified and registered mail receipts are on file in the Planning Department.

4. The May 9, 16, and 23, 2023, the Applicant published a Notice and location map in the Maui News once a week for three consecutive weeks prior to the date of the hearing.

5. On May 19, 2023, a notice of hearing on the application(s) was published in the Maui News by the Maui County Planning Department.

6. The subject application for a change of zoning does not trigger review under Chapter 343, Hawaii Revised Statutes, relating to Environmental Impact Statements.

REVIEWING AGENCIES

State Agencies:	Comment	Exhibit Number
Department of Accounting and General Services	See Letter	5
Department of Land and Natural Resources, State Historic Preservation Division (SHPD) <i>(No Historic Properties Affected and Permit Issuance May Proceed Decision by SHPD)</i>	See Letter	6
Office of Planning & Sustainable Development	See Letter	7
Department of Land and Natural Resources, Engineering and Land Divisions	See Letter	8

State Agencies:	Comment	Exhibit Number
Department of Transportation, Airports Division and Highways Division	See Letter	9
Department of Health	See Letter	10
County Agencies & Commissions:	Comment	Exhibit Number
Department of Fire & Public Safety	See Letter	11
Department of Environmental Management, Solid Waste and Wastewater	See Letter	12
Cultural Resources Commission	See Letter	13
Department of Public Works	No Comment	--
Department of Water Supply	No Comment	--

ANALYSIS

LAND USE

1. The proposed project is in conformance with the goals, objectives and policies of the Hawaii State Plan. It will provide opportunities for economic growth.
2. The subject property is in the State Urban District. The proposed uses are consistent with the Urban designation of the property.
3. As stated in the Maui County Charter, as amended in 2002:

The General Plan shall indicate desired population and physical development patterns for each island and region within the county; shall address the unique problems and needs of each island and region; shall explain the opportunities and the social, economic, and environmental consequences related to potential developments; and shall set forth the desired sequence, patterns, and characteristics of future developments. The general plan shall identify objectives to be achieved, and priorities, policies, and implementing actions to be pursued with respect to population density, land use maps, land use regulations, transportation systems, public and community facility locations, water and sewage systems, visitor destinations, urban design, and other matters related to development.

The County of Maui 2030 General Plan Countywide Policy Plan, adopted by the Maui County Council on March 19, 2010, is the first component of the decennial General Plan update. The Countywide Policy Plan replaces the General Plan as adopted in 1990 and amended in 2002. The **Countywide Policy Plan** acts as an over-arching values statement and umbrella policy document for the Maui Island Plan and the nine Community Plans that provides broad goals,

objectives, policies, and implementing actions that portray the desired direction of the County's future. The plan includes:

1. A vision statement and core values for the County to the year 2030
2. An explanation of the plan-making process
3. A description and background information regarding Maui County today
4. Identification of guiding principles
5. A list of countywide goals, objectives, policies, and implementing actions related to the following core themes:
 - A. Protect the Natural Environment
 - B. Preserve Local Cultures and Traditions
 - C. Improve Education
 - D. Strengthen Social and Healthcare Services
 - E. Expand Housing Opportunities for Residents
 - F. Strengthen the Local Economy
 - G. Improve Parks and Public Facilities
 - H. Diversify Transportation Options
 - I. Improve Physical Infrastructure
 - J. Promote Sustainable Land Use and Growth Management
 - K. Strive for Good Governance
 - L. Mitigate Climate Change and Work Toward Resilience

The following Countywide Policy Plan goals, objectives, policies, and/or Implementing Actions are relevant to the proposed project;

THEME: Preserve Local Cultures and Traditions

Objective (3): Preserve for present and future generations the opportunity to know and experience the arts, culture, and history of Maui County.

Relevance: The Hana Store Storage Building is one of the oldest buildings in Hana, reflective of the culture and history of the town. As it is now, the building has fallen into disrepair and is not available to the public. With a long history of commercial use, restoring the property to another commercial use through rezoning will result in protecting the building and making it available to the public and restoring vibrancy to the immediate area.

Objective (4): Preserve and restore significant historic architecture, structures, cultural sites, cultural districts, and cultural landscapes.

Policies:

b. Promote the rehabilitation and adaptive reuse of historic sites, buildings, and structures to perpetuate a traditional sense of place.

f. Perpetuate the authentic character and historic integrity of rural communities and small towns.

j. Support the registering of important historic sites on the State and Federal historic registers.

Relevance: These policies emphasize the importance of historic sites for all of Maui but are readily applicable to this property. Changing the zoning on the property will allow an economically viable and sustainable use of the building, thus directly aiding in its restoration and preservation. Restoring it to a functioning commercial building will also provide direct access to the public so they can experience a part of Maui's history.

THEME: Strengthen the Local Economy

Goal: Maui County's economy will be diverse, sustainable, and supportive of community values.

Objective (1): Promote an economic climate that will encourage diversification of the County's economic base and a sustainable rate of economic growth.

Policies:

a. Support economic decisions that create long-term benefits.

d. Support and promote locally produced products and locally owned operations and businesses that benefit local communities and meet local demand.

j. Support efforts to improve conditions that foster economic vitality in our historic small towns.

l. Support public and private entities that assist entrepreneurs in establishing locally operated businesses.

Relevance: The current Urban Reserve zoning virtually prohibits any economically viable use of the property. Rezoning to the community plan designation consistent with "Business/Commercial" will promote sustainable economic uses within the community, while maintaining the character and the history of Hana town. Future compatibility with the town is assured with the proposed conditions, limiting the uses on the property.

Objective (4): Expand economic sectors that increase living-wage job choices and are compatible with community values.

Relevance: Objective 4 underscores the importance of small local businesses that fit well within the existing communities. While the exact business to occupy the building cannot be

determined at this time, the proposed conditions of zoning will encourage the expansion of job choices compatible with the community plan.

THEME: Promote Sustainable Land Use and Growth Management

Objective (1): Improve land use management and implement a directed-growth strategy.

Policies:

e. Encourage redevelopment and infill in existing communities on lands intended for urban use to protect productive farmland and open-space resources.

h. Direct new development in and around communities with existing infrastructure and service capacity, and protect natural, scenic, shoreline, and cultural resources.

Relevance: While reuse of an existing historic building would not be considered "development" in the traditional sense, the subject property is in the "Small Town" growth boundary in the Maui Island Plan. Considering 100 years of commercial use, new activities and growth would be more characteristic of infill and redevelopment.

Objective (3): Design all developments to be in harmony with the environment and to protect each community's sense of place.

Policies:

e. Ensure business districts are distinctive, attractive, and pedestrian-friendly destinations.

h. Ensure better connectivity and linkages between land uses.

j. Protect rural communities and traditional small towns by regulating the footprint, locations, site planning, and design of structures.

k. Support small-town revitalization and preservation.

Relevance: Rezoning the Hana Store Storage Building for limited commercial uses is supportive of these policies. Reusing a historic building near the center of town is preferable to building on a new site as it supports the preservation of the building for future generations to enjoy and it is compatible with the town.

THEME: Strive for Good Governance

Objective (2): Promote Civic Engagement

Policies:

a. Foster consensus building through in-depth, innovative, and accessible public participatory processes.

b. Promote and ensure public participation and equal access to government among all citizens.

e. Support community-based decision-making.

g. Expand opportunities for all members of the public to participate in public meetings and forums.

h. Facilitate the community's ability to obtain relevant documentation.

Relevance: The rezoning process is a public process, with initial public outreach, the local councilmember's virtual town hall meetings, review by the Planning Department, the Hana Advisory Committee, the Maui Planning Commission, and through a series of hearings with the Maui County Council. Public input is invited and welcome along the way.

4. **The Maui Island Plan (MIP)** was adopted by the County Council on December 28, 2012. The Plan provides direction for future growth, the economy, and social and environmental decisions through the year 2030. The Plan looks comprehensively at many factors that influence the physical, social and economic development of the island. In addition to establishing a directed growth strategy to identify areas appropriate for future urbanization and revitalization, the Plan also identifies and addresses key environmental, housing, and economic development issues relevant to Maui's current and future generations. The Plan is intended by the County Council, Planning Department, and Maui Planning Commission as a policy foundation for day to day decisions and is specifically intended to be used to assist in reviewing discretionary permits.

The subject parcel is in the MIP Small Town Growth Boundary (STGB). The following MIP goals, objective, policies, implementing actions and/or Chapter 8 provisions are relevant to the proposed project.

Chapter 2, Heritage Resources

Cultural, Historic, and Archaeological Resources.

Objective: 2.3 Enhance the island's historic, archaeological, and cultural resources.

Policies:

2.1.3.a Identify and pursue a listing of the properties and sites on the State and National Register of Historic Places.

2.1.3.d Promote the rehabilitation and adaptive reuse of historic sites, buildings, and structures.

2.1.3.f Support opportunities for public involvement with the intent to facilitate the protection and restoration of historic and archeological sites, including consultation with stakeholders.

Relevance: This property is already on the Hawaii State Register of Historic Places, Site 50-13-1628. Because the Urban Reserve zoning does not allow business or other economically viable use of the property, rehabilitation has been hindered and adaptive reuse is prohibited. Rezoning the property to follow the community plan will facilitate the protection and restoration and promote public involvement and adaptive reuse.

Chapter 4, Economic Development

Goal: 4.1 Maui will have a balanced economy composed of a variety of industries that offer employment opportunities and well-paying jobs and a business environment that is sensitive to resident needs and the island's unique natural and cultural resources.

Policies:

4.1.1.b Support the creation of new jobs and industries that provide a living wage.

Objective: 4.1.2 Increase activities that support principles of sustainability.

Policies:

4.1.2.a Support industries that are sustainable, and culturally and environmentally sensitive.

4.1.2.b Encourage and support local businesses.

4.1.2.c Substitute imports with locally produced services and products where practicable.

Relevance: This historic building is currently an unused resource within the Hana community. Principles of sustainability emphasize both using existing structures or assets rather than building new ones, and long-term business activity. Using the property again for commercial purposes will expand economic opportunity but without building anything new or changing the character of Hana town. The proposed list of permitted uses has been evaluated to make sure that any businesses in the future will fit within the Hana community.

Small Business Development

Goal: 4.5 Small businesses will play a key role in Maui's economy.

Objective: 4.5.1 Increase the number of and revenue generated by small businesses and decrease the percentage of small business failures.

Policies:

4.5.1.a Provide incentives and support for small businesses and entrepreneurs that incorporate sustainable technologies and practices into their operations, utilize local materials or produce and sell locally-made goods or services.

4.5.1.b Assist traditional "mom and pop" business establishments.

4.5.1.c Reduce barriers to small business development.

4.5.1.e Support community markets and venues that sell locally made produce, goods, and services.

Relevance: Rezoning the property will provide an opportunity and incentive for small businesses as it will eliminate the barrier to providing this space for them. The proposed

conditions of zoning will ensure that the building is used for small businesses and not a corporate chain.

Chapter 7, Land Use Rural Areas

Policies:

7.2.1.a Focus development to areas inside the urban, small town, and rural growth boundaries to preserve natural, cultural, and agricultural resources.

7.2.1.d Encourage basic goods/services in business country towns.

Relevance: The Hana Store Storage Building is inside the Small Town Growth boundary for Hana. These policies direct the requested type of commercial zoning to be inside this boundary.

Urban Areas

Objective: 7.3.3 Strengthen the island's sense of place.

Policies:

7.3.3.a Protect and enhance the unique architectural and landscape characteristics of each community.

7.3.3.c Support the continued revitalization of historic country towns, Wailuku Town, and Kahului's commercial core and harbor-front without displacing traditional, cultural, recreational, and customary uses.

7.3.3.d Strongly encourage the preservation of buildings, structures, and sites of historic significance.

Relevance: Though Hana is designated as a Small Town in the Maui Island Plan, this section is applicable because the subject property is in the State Urban District, and because of the historic nature of the site. It is a significant piece of Hana's history and is an integral element in providing a sense of place.

Chapter 8, Directed Growth Plan

Goal: 8.1 Maui will have well-serviced, complete, and vibrant urban communities and traditional small towns through sound planning and clearly defined development expectations.

Policies:

8.1.d The unique character and function of existing small towns shall be protected to retain and preserve their sense of place.

8.1.e New development shall be consistent with the UGBs, STBs, and all other applicable policies of the MIP. New urban-density development shall not be allowed outside of a UGB or STB.

Relevance: The proposed rezoning is consistent with this goal and the related policies. Restoring and using this building will contribute to a complete, well-serviced small town, all while sustainably preserving Hana's unique character and function as a small town.

5. According to the **Hana Community Plan** the property is identified as Business/Commercial and is consistent with the land use map of the Community Plan. The following Community Plan subjects, goals, objectives, policies, and implementing actions are relevant to the proposed action:

It is notable that the plan's Problems and Opportunities section specifically identifies historic sites and resources as an opportunity for a community.

CULTURAL RESOURCES The sensitivities of the region's residents for the cultural resources which are located within the Hana district are recognized. The district's historic sites and cultural resources provide evidence of Hana's history and serve as tools for conveying the heritage of the region to its youth as a legacy for the future.

LAND USE

Goal: An efficient distribution of urban, rural, and agricultural land uses to provide for the social and economic well-being of residents in the Hana Community Plan region. Preservation and enhancement of the current land-use patterns which establish and enrich the Hana Community Plan region's unique and diverse qualities.

Relevance: Instead of expanding and building in a new untouched location, the proposed change of zoning preserves and enhances the historical and current land-use patterns by creatively reusing an existing facility in recognition of Hana's history.

Objectives and Policies

3. Explore alternative land use and overlay zoning designations that recognize and preserve the unique natural and cultural characteristics of each community within the Hana region.

Relevance: While the applicant is not proposing an overlay designation, they are proposing a conditioned Business Country Town zoning that will "preserve the unique natural and cultural characteristics" of the community.

13. Encourage community-based dialogue regarding proposed land-use changes in order to avoid unwarranted conflict.

Relevance: The change of zoning process is a public process, and the Applicant has involved and continues to do so with the community in the decision-making.

CULTURAL RESOURCES

Goal: Identification, preservation, protection, and where appropriate, restoration of significant cultural resources and practices, that provide a sense of history and identity for the Hana region.

Objectives and Policies

1. Identify, preserve and protect historically, archaeologically, and culturally significant areas, sites, and features within the Hana District.

Relevance: This goal, objective and policy identify the importance of historic resources in the Hana area. This building, being one of the oldest in Hana, will be preserved for future generations by allowing economically beneficial and sustainable use.

2. Require development projects to identify all cultural resources within or adjacent to the project area as part of the County development review process. Further require that all proposed development include appropriate mitigation measures including site avoidance, adequate buffer areas, and interpretation.

Relevance: The property itself is a significant historic asset to the community. While not "development" in the traditional sense of building in a new untouched area, the process to rezone and reuse the building undergoes the same review process. This is a public process that is reviewed by the public through outreach, through the Cultural Resources Commission, the Hana Advisory Committee, Maui Planning Commission, and the County Council. The Applicant has already proposed mitigating measures for the change in zoning.

ECONOMIC ACTIVITY

Goal: A balanced local economy which provides long-term viability and sustainability while meeting residents' needs and respecting the cultural and natural resources of Hana.

Objectives and Policies

2. Utilize existing components of the local economy to establish a framework for balanced regional economic development.

3. Encourage economic activities which are: of substantive economic benefit to the residents of the area; environmentally benign; and compatible with the cultural sensitivities of the residents of the Hana region.

Relevance: A mixture of land uses is an essential component to creating a local economy and opportunity for its residents. The proposed rezoning utilizes an existing component in the Hana community and incrementally adds to that mixture of uses. It encourages economic activities that are compatible with the cultural sensitivities of the Hana region.

URBAN DESIGN

Goal: Harmony between the natural and man-made environments through building, infrastructure, and landscaping design which ensures that the natural beauty and character of the Hana region is preserved.

Objectives and Policies

1. Support design controls for Hana Town and the Hana region based on maintaining the existing low-rise character and rural scale of the area.

Relevance: The Hana Store Storage Building is proposed to be reused for commercial uses but with no alteration to the existing façade or floor plan. The single-story, low-rise character specified by these policies, maintains harmony with the existing character of Hana town. There are no plans to include “urban” roadway improvements but to keep the rural feel of the town.

6. **Zoning.** The applicant proposes to limit the permitted uses on the property through conditional zoning in the B-CT Country Town Business district. Each of the permitted uses in MCC Section 19.15.020 were evaluated in consideration of the historic property, where some appear to be very compatible with the adaptive reuse of this historic structure, including retail or office. Other uses, might be acceptable if there was additional community review, such as eating and drinking establishments. Other uses would be out rightly prohibited on the property if they are found to be incompatible with the historic site. Such uses would include gas stations, vacation rentals, multi-family buildings, and recycling centers.

The proposed permitted uses for this property would be likely limited to the following pending review by the Hana Advisory Committee, Maui Planning Commission and Maui County Council. This is a significantly reduced list of permitted uses in the B-CT district. The complete list of permitted uses in the B-CT district is shown in **Exhibit 14** from Section 19.15.020 MCC. The Applicant is proposing only the following permitted uses:

- a) Amusement and recreational activities if compatible with the historic character of the site and conducted wholly within a completely enclosed building.
- b) Art and music studios.
- c) Eating and drinking establishments that are locally owned and operated. Any corporate chains of franchises are allowed only subject to review and approval by the appropriate planning commission.
- d) General merchandising.
- e) General office.
- f) Hardware, feed, and garden stores provided that feed and fertilizer are kept within an enclosed building.
- g) Libraries.
- h) Museums.
- i) Parking lots if associated with another permitted use on the property or as allowed by an off-site parking permit.
- j) Personal and business service. Printing establishments shall be conducted within an enclosed building.
- k) Warehouse facilities associated with a permitted use within the district or with the primary hotel within the Urban District in Hana.

- I) Other similar business or commercial enterprises or activities that are not detrimental to the welfare of the surrounding area or to the historic character of the site provided that such uses shall be approved by the appropriate planning commission as conforming to the intent of this article.

7. **Special Management Area (SMA).** The subject property is located within the Special Management Area (SMA) of the Island of Maui. However, it should be noted that the property is located at the extreme boundary of the SMA area. Also, SMA review has occurred and will occur with applications for building renovations. With appropriate mitigations included in the recommended conditions of project approval, the proposed development inherent in this project, which is a Change of Zoning, meets the goals and objectives of Chapter 205A, HRS, as follows:

Recreational Resources: The Property is not along the shoreline and therefore will not impact the public's access to the shoreline. The proposed development will not impact coastal recreational resources.

Historic Resources: In general, the lands have been extensively modified by previous land altering activities. Provided appropriate mitigative measures recommended by the Department of Land and Natural Resources, State Historic Preservation Division are implemented, no adverse impacts on historic resources are anticipated. Review by the Cultural Resources Commission along with review by SHPD enhance the likely outcome that this building will be sensitively restored and open to the public as a significant historical building of Hana.

Scenic and Open Space Resources: The Property is not along the shoreline and therefore will not impact; 1) shoreline open space and scenic resources; and 2) have minimal impact on existing public views to and along the shoreline.

Coastal Ecosystems: The adaptive reuse of existing buildings will not have an effect on coastal ecosystems.

Economic Uses: Adaptive reuse of this existing building will give renewed life to this structure and provide enterprise opportunities for the community.

Coastal Hazards: The property is outside the Tsunami Evacuation Zone and outside of the 3.2 foot Sea Level Rise (SLR) scenario.

Managing Development: The public review process will help to ensure potential uses for the building are in concert with the community.

Public Participation: Public participation will occur through numerous meetings conducted by the Hana Advisory Committee, Maui Planning Commission, and Maui County Council.

Beach Protection: The proposed development is not located on a shoreline

property and will not impact beach processes.

Marine Resources: No marine resources will be impacted by this project as the proposed zoning change is not located on a shoreline property or in fact at a nearby distance to such a marine resource.

Section 12-202-12 of the SMA Rules for the Maui Planning Commission

Section 12-202-12(e)(2) of the Maui Planning Commission Special Area Management Rules (Chapter 202) sets forth 12 criteria (lettered A to L) to evaluate potential environmental and ecological effects of a proposed action within the SMA. The criteria are listed below. The Change of Zoning to allow the adaptive reuse of an existing building located a significant distance from the shoreline will not have significant adverse environmental and ecological effects.

- A. Does not involve an irrevocable commitment to loss or destruction of any natural or cultural resources.***
- B. Does not significantly curtail the range of beneficial uses of the environment.***
- C. Does not conflict with the county's or the state's long-term environmental policies or goals.***
- D. Does not substantially affect the economic or social welfare and activities of the community, county, or state.***
- E. Does not involve substantial secondary impacts, such as population changes and increased effects on public facilities, streets, drainage, sewage, and water systems, and pedestrian walkways.***
- F. Does not in itself have significant adverse effects nor does it cumulatively have considerable effect upon the environment or involve a commitment for larger actions.***
- G. Does not substantially affect a rare, threatened, or endangered species of animal or plant, or its habitat.***
- H. Is not contrary to the state plan, county's general plan, appropriate community plans, zoning and subdivision ordinances.***
- I. Does not detrimentally affect air or water quality or ambient noise levels.***
- J. Does not affect an environmentally sensitive area, such as flood plains, shoreline, tsunami zone, erosion-prone area, geologically hazardous land, estuary, fresh waters, or coastal waters.***
- K. Does not substantially alter natural land forms and existing public views to and along the shoreline.***

L. Is not contrary to the objectives and policies of chapter 205A, HRS.

AGRICULTURE

Agricultural uses have not taken place on the property for more than 100 years, and none are proposed.

ARCHAEOLOGICAL, HISTORIC AND CULTURAL RESOURCES

1. The property has been developed for over 100 years with multiple buildings constructed over time. From the years of development on the site, it is unlikely that any archaeological resources are on property. Furthermore, no grading is necessary to implement the improvements that can proceed after a Change of Zoning is approved.

The Hana Store Storage Building is listed on the State Register of Historic Places, site 50-13-1628.

Prior to current ownership, the site and historic building were left to deteriorate in the rainy tropical climate of Hana. The historic building was at risk of being lost due to neglect. The new owners recognized the value of the historic building and have sought to preserve and renovate it through improvements.

The Cultural Resources Commission reviewed the proposed improvements on February 3, 2022, and adopted the staff recommendations noted on page 3 of this Staff Report. The proposed improvements will ensure the preservation of the historic structure, and allowing commercial uses will ensure the public can experience this part of Hana's history. There are no anticipated negative impacts associated with improving the property as approved by the CRC and Department staff. This Change of Zoning clears the path to adaptive reuse, an activity which is supported by the Department of Land and Natural Resources, Historic Preservation Division. See **Exhibit 6**.

There are no known cultural resources on this site which has been used for more than 100 years for commercial purposes.

2. SHPD notes that the Maui Planning Department is working with the Applicant to submit the Historic American Buildings Survey (HABS) documentation and an update of the Hawaii Historic Register nomination. SHPD is looking forward to receiving a final copy of the HABS documentation along with the National Park Service acceptance letter and the updated Historic Register Nomination.
3. Per HAR 13-284-7, the project will have **no effect on significant historic properties**, and therefore SHPD's determination is no historic properties affected. Furthermore, pursuant to HAR 13-284-7(e), the historic preservation review process is ended. **The permit issuance process may proceed** (SHPD letter dated January 18, 2023, **Exhibit 6**.)

INFRASTRUCTURE AND PUBLIC FACILITIES AND SERVICES

1. **Water** -- The subject property is currently serviced by the private system owned and

operated by the Hana Water Company which is owned by Hana Ranch. The property is served by a two-inch line that comes off of a six-inch line in Keawa Place. There are two hydrants near the subject property. One is located on Keawa Place approximately 85 feet from the subject property. The other is about 160 feet away located close to the corner of Keawa Place and Hana Highway, and is located on the hotel grounds almost adjacent to Hana Highway. Increased demand will be minor and considering there will be a single bathroom, use will likely be less than a single-family residence. Irrigation lines will be required by the county for landscaping and their use will be limited because the natural rainfall in Hana is normally more than sufficient to keep landscaping healthy. As stated previously, the CRC reviewed the improvements to the property.

2. **Sewers** -- The property has a single bathroom in the historic building that contains a single commode and sink. These are inoperable at this time but will be restored with the issuance of building and plumbing permits. As of the time of this application, there is no wastewater usage as the bathroom has not been restored and the building is not approved for any use. When the bathroom is restored and the zoning approved, there will be a single toilet and sink on site. The septic system has a 1,250 gallon concrete tank and a 1,000 gallon capacity leach field. The system was approved for use by the Department of Health on April 21, 2022. See **Exhibit 10** for the individual wastewater system approval.
3. **Drainage** -- The subject property is located in Zones X and XS as indicated by the Flood Insurance Rate Map, which defines areas of the 100-year flood with base flood elevations and flood hazard factors. The property slopes gently from mauka to makai at approximately 1.5 to 2 percent grade. A portion of the site has impervious surfaces with the roofs of two buildings and aging broken asphalt covering a portion of the site. Discussions with the community and hotel personnel have not brought out any particular drainage issues. There are no drainage structures on the property. Though drainage has not been an issue, any runoff is expected to be reduced with the removal of the old asphalt and replacement with gravel. The gravel will be significantly more porous, thus allowing rainwater to percolate into the soil. As described before, the property is located in flood zones X and XS. Zone X is the area determined to be outside the 0.2 percent annual chance of floodplain, meaning there is a very low probability of flooding. Zone XS, areas in 0.2 percent annual chance of flood, or 1 percent annual chance of flood with average depths of less than 1 foot, or with drainage areas less than 1 square mile; and areas protected by levees from 1 percent annual chance of flood. This is also an area of low probability of flooding. No flood development permit is required and the area is not in a floodway according to the zoning and flood confirmation.
4. **Roadways, Curbs, Gutters and Sidewalks** -- The subject property is located at the corner of Hana Highway and Keawa Place. In this area Hana Highway is approximately 20-25 feet in width and Keawa Place is approximately 20 feet in width. The property has a single driveway on Keawa Place approximately 70 feet from Hana Highway. This driveway is long established and was used during the time the hotel used the property for their laundry and personnel and housekeeping offices. No necessary roadway improvements have been identified considering the small size of the proposed use. Visitors want to experience the natural beauty of East Maui and traveling the Hana Highway is considered one of the most beautiful journeys in the United States. The roadway and Hana Town itself are considered

destinations because of their beauty, history, culture, environment, and lifestyle.

Most visitors are "day-visitors" who drive on their own or ride in tour buses. They arrive in town, explore, purchase goods and food, then return to their hotels predominantly on the western and southern sides of the island.

Other visitors are there for overnight experiences. Accommodations are sought where people can relax and more thoroughly involve themselves in the town, its people, and beauty. There are several accommodations in the urban area of town, most notably the Hana Maui Resort. This resort is situated on the primary, 14.65-acre hotel site and another 12.75 acres for the cottages.

Due to its size and configuration in comparison to the overall journey and experience, the Hana Store Storage Building is unlikely to ever be considered a destination unto itself. Visits to this building would only be an incidental part of one's trip to Hana. As a result, rezoning this property will not generate new traffic. There are no anticipated impacts concerning traffic.

5. **Electrical and Telephone** -- Overhead/underground electrical and telephone service is available to the site. Power to the site is from overhead power lines on Hana Highway. The proposed uses will require considerably less power than the former commercial laundry, therefore there are no anticipated impacts in relation to electrical supply. Telephone and cable services are available to the site. Services are currently provided and available to the project site. No impacts are anticipated as a result of this project.
6. **Parks** -- The Hana area has several recreational facilities including Hana Bay Beach Park, Hana Community Center, Helene Hall, Hana Ballfield, and Pa'ani Mai Park. The proposed use is not of a scope or in a location that would affect any of these facilities. There are no public facilities requirements for this project.
7. **Schools** -- The region is served by the Hawaii Department of Education. The proposed project is not anticipated to have an effect on public schools because it will not affect the population in the area.
8. **Solid Waste** -- The nearest landfill site is Hana Landfill. Solid waste will be generated by commercial activities on the property and the amount will be dependent on the specific business occupying the structure. Because of the small size of the buildings and the proposed uses within them, it is estimated that a typical retail store may generate approximately 10 to 40 pounds of solid waste per day. It would vary from week to week according to the actual, variable uses in the building and when deliveries take place. Due to the limited size of the property as well as the small buildings, the amount of solid waste is expected to be insignificant. No adverse impacts on solid waste resources are anticipated.

The Hana landfill is approximately 35 acres in size and operates under a State Land Use Special Use Permit, a County Special Use Permit, and a SMA major permit. As documented by these permits, the landfill is expected to have capacity until 2096.

9. **Public Services** -- The property is served by the Hana Fire Station approximately 0.6 miles away on Hana Highway. There are two hydrants near the subject property. One is located on Keawa Place approximately 85 feet from the subject property. The other is about 160 feet away close to the corner of Keawa Place and Hana Highway, and is located on the hotel grounds almost adjacent to Hana Highway.

The site is served by Hana Public and School Library.

The site is served by the Hana Police Station.

The nearest hospital facility is the Hana Medical Center.

No adverse impacts on police and fire protection services, and medical services are anticipated.

SOCIO ECONOMIC IMPACTS

The effect of rezoning the subject property on Hana's population will be negligible. The size of the parcel is small, and the overall square footage of the structures is also limited. There will be some additional employment opportunities, but that would be expected to be supportive of the local population and not cause anyone to relocate to the Hana area.

Rezoning this property is not expected to either increase or decrease the demand for housing within Hana. There will be additional job opportunities that may allow people to pay rent or mortgages, but the overall housing stock will not be changed.

Community services are characterized as social services for the young or elderly, those needing help with paying rent, vocational training, schools, shelter needs, healthcare, etc. Changing the zoning of this property is not anticipated to either increase or decrease the demand for community services.

Rehabilitating the property will generate limited-term construction jobs. Long term, use of the historic structure will generate employment opportunities within Hana. The number of jobs will partially depend upon the type of business that occupies the building. An estimate for either retail or office uses would be five to six new jobs. There will also be indirect employment related to building and landscaping maintenance.

ENVIRONMENTAL IMPACTS

There will be short term noise and air quality impacts during the construction phases of the project. Best management practices should be incorporated into the project in accordance with Federal, State and County standards. The property is located in flood zones X and XS. Flood zone X is outside of the 0.2 percent annual chance of flooding, XS is in the 0.2 percent annual chance or 1 percent chance of flooding less than a foot.

The project site is approximately 800 feet from the Tsunami Evacuation Zone, and 550 feet from the Extreme Tsunami Evacuation Zone. There is little threat of inundation by a tsunami.

As the property is about 103 feet above MSL, the University of Hawaii sea level rise viewer indicates the property is far from the 3.2 meter Sea Level Rise Exposure Area.

There are no impacts to scenic resources with this project. No new buildings are proposed and those that exist have been there for many decades.

As the site has been developed for more than 100 years, it is highly unlikely that any endangered or threatened plant species or their habitat exist on the site.

There are no sand dunes on or near the subject property.

There are no streams that cross or are near the subject property.

The project site is located more than 1,000 feet from the shoreline and runoff from the site has not been an issue. Renovations to the property will include a reduced amount of impervious surfaces, thus further decreasing any runoff from the site. No impacts to marine resources are anticipated with the rezoning of this property. The site is already developed and no new buildings are planned. As a result there will be no loss of open space resources.

Short term impacts may occur with the renovation of the buildings and improvements to the site. Long term impacts are expected to be negligible, much as they are today.

OTHER GOVERNMENTAL APPROVALS, REGULATIONS, POLICIES, PLANS

The physical improvements to the site have already been reviewed by the CRC and the Planning Department. An appropriate Environmental Assessment exemption has been obtained, as well as an SMA minor permit and an SMA exemption. Building permits are pending.

The change of zoning to use the site for commercial purposes will require review by the Hana Advisory Committee, the Maui Planning Commission, and ultimately the passing of an ordinance by the County Council.

Occupancy of the building will require a certificate of occupancy.

Running independently of a Change of Zoning and actual use of the property, the CRC has a number of requirements in relation to renovating the historic building. Such requirements include but are not limited to the testing of the historic mortar so repair materials will be compatible. That study has been completed. Another is the requirement that the building be documented and photographed to HABS standards. As of the date of this staff report, a consultant has been selected and the studies are forthcoming in preparation for the renovation of the historic building.

TESTIMONY

As of May 15, 2023, the Planning Department has received no testimony regarding this application.

By way of community engagement prior to the hearing, a total of 40 letters were mailed on

July 22, 2021, to all the property owners within the 500-foot notification area. The letter introduced the concept of changing the zoning and described how the uses would be limited so the property would fit in with the character of Hana. The letter gave contact information and invited the neighbors to call or email. A single call was received from an adjoining neighbor who was in favor of the zoning.

On October 6, 2021, the Applicant's representative participated in Councilmember Shane Sinenci's virtual town hall meeting where a PowerPoint was presented to the public. (See Exhibit 15.) The meeting was cordial and prompted two comments from attendees. There was a concern about the property being built out with overly large multi-story structures. It was then clarified that the property would remain the same with the historic building and storage building remaining and as only single-story structures. The second was a request to do an Environmental Assessment (EA). It was explained that the Community Plan was not being changed, so that change would not trigger an EA. Furthermore, the use of the historic building is proposed to continue in the same general business-commercial concept as has been done for decades and is in compliance with the Hana Community Plan. And an appropriate Environmental Assessment exemption has been obtained, as well as an SMA minor permit and an SMA exemption for the building redevelopment. Building permits are pending.

ALTERNATIVES

- **Deferral.** The Committee may defer action to another meeting date in order to obtain additional information that will assist in their deliberation on the request.
- **Recommend Approval With No Conditions.** The Committee may recommend to approve the permit request without imposing any conditions.
- **Recommend Approval With Conditions.** The Committee may recommend to approve the permit request with conditions.
- **Recommend Denial.** The Committee may recommend to deny the permit request.

CONCLUSIONS OF LAW

Pursuant to Sections 19.510.040 and 19.510.050 of the Maui County Code, the proposed request meets the criteria for a Change in Zoning as follows:

1. With the application of recommended conditions of approval, the proposed request meets the intent of the general plan and the objectives and policies of the Hana Community Plan;
2. With the application of recommended conditions of approval, the proposed request is consistent with the applicable Hana Community Plan land use map of the County;
3. With the application of recommended conditions of approval, the proposed request meets the intent and purpose of the zoning district being requested;

4. The application, if granted, would not, with appropriate mitigation measures, adversely affect or interfere with public or private schools, parks, playgrounds, water systems, sewage and solid waste disposal, drainage, roadway and transportation systems, or other public requirements, conveniences and improvements; and,
5. The application, if granted, would not, with appropriate mitigation measures, adversely impact the social, cultural, economic, environmental, and ecological character and quality of the surrounding area.

RECOMMENDATION

The Planning Department recommends approval of the Change of Zoning for the subject application.

CHANGE OF ZONING

The Change of Zoning will change the Zoning District from "Urban Reserve" on the parcel to "B-CT Business Country Town" and is subject to approval by the Council and to the following amended conditions:

1. That the permitted uses shall be limited to those outlined in the following table:

Permitted Uses	Criteria or limitations
Amusement and recreational activities	If compatible with the historic character of the site and conducted wholly within a completely enclosed building
Art and music studios	
Eating and drinking establishments that are locally owned and operated	Corporate chains or franchises are subject to review and approval by the appropriate planning commission
General merchandising	
General office	
Hardware, feed, and garden stores	Provided that feed and fertilizer are kept within an enclosed building
Libraries	
Museums	
Parking lots	If associated with another permitted use on the property or as allowed by an off-site parking permit
Personal and business services	Printing establishments shall be conducted within an enclosed building
Warehouse facilities associated with a permitted use within the District or with the primary hotel within the Urban District in Hana	

Other similar businesses or commercial enterprises or activities that are not detrimental to the welfare of the surrounding area or to the historic character of the site	Provided that such uses shall be approved by the appropriate planning commission as conforming to the intent of this article
---	--

For reference a draft proposed Bill for an Ordinance on the Change of Zoning, the metes and bounds of the property, and the proposed Zoning Map are shown in Exhibit 16 .

In consideration of the foregoing, the Planning Department recommends that the Hana Advisory Committee adopt the Planning Department's Report and Recommendation prepared for the June 19th, 2023, meeting as the Findings of Fact, Conclusion of Law and Decision and Order and authorize the Director of Planning to transmit said Report and Recommendation to the Maui Planning Commission and to the Maui County Council.

APPROVED:

Kathleen Ross Aoki
 KATHLEEN ROSS AOKI
 Planning Director



Vicinity Map

EXHIBIT 1

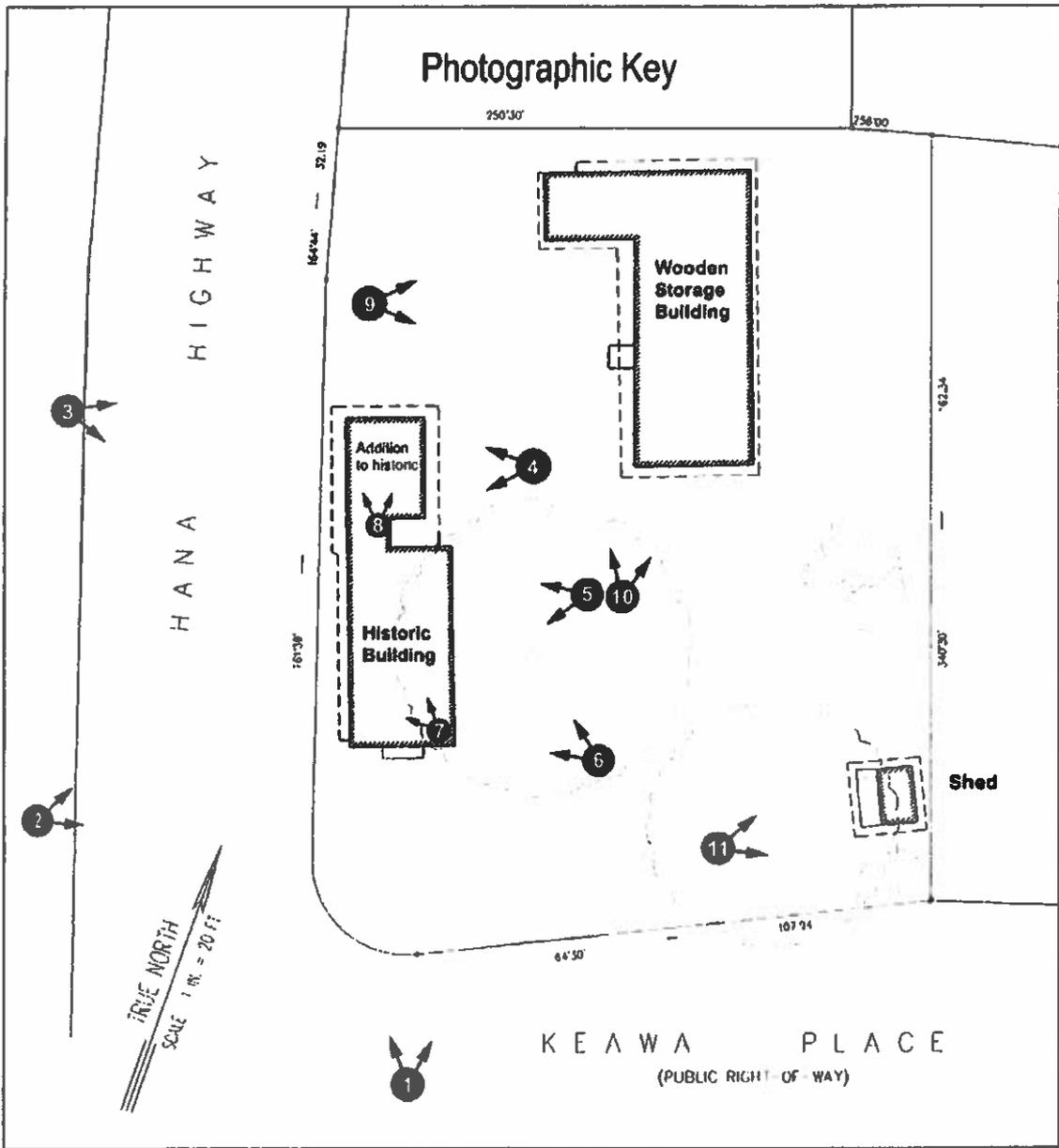


EXHIBIT 2



Photo 1, Property from Keawa Place and Hana Highway, looking North



Photo 2, Front of historic storage building from Hana Highway looking Northwest

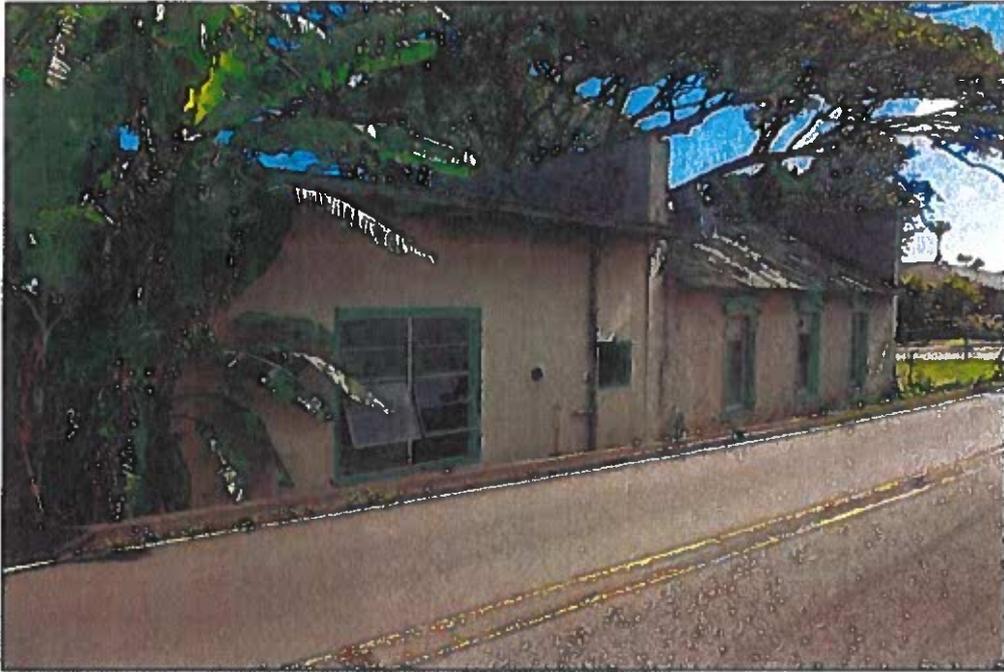


Photo 3, Side of historic storage building and later addition from Hana Highway looking East

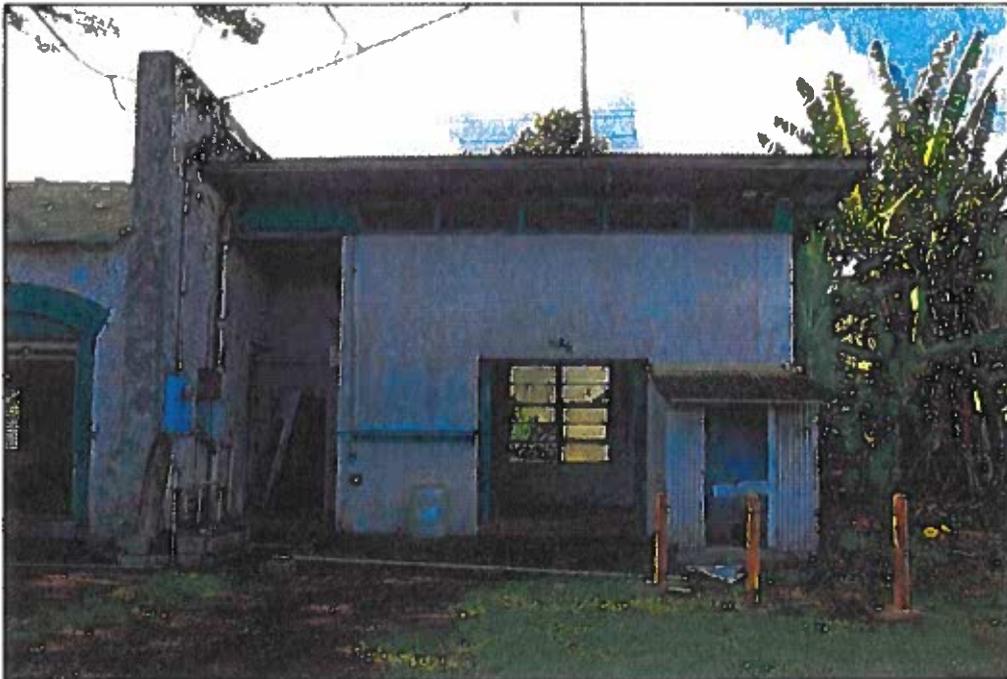


Photo 4, Addition to historic storage building from on the property looking West



Photo 5, Historic storage building from on the property looking West

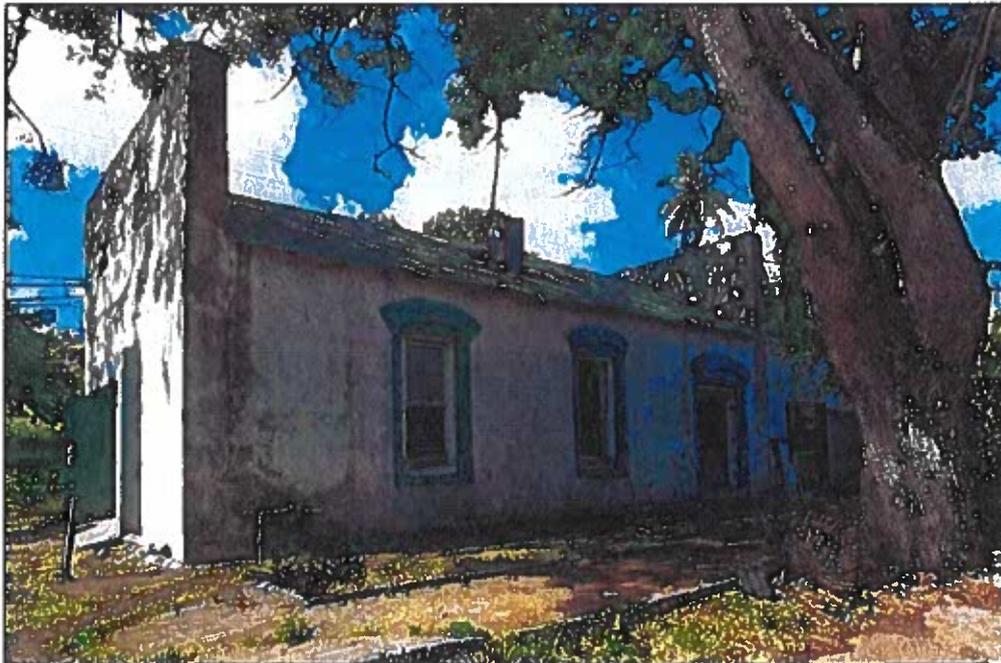


Photo 6, Historic building from on the property looking West

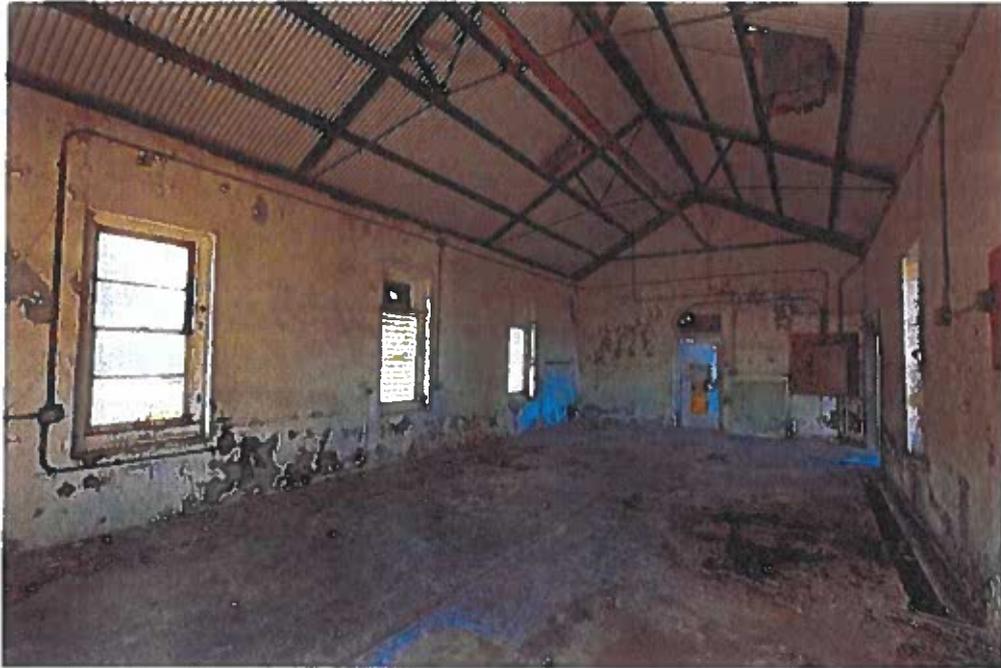


Photo 7, Interior of historic storage building.

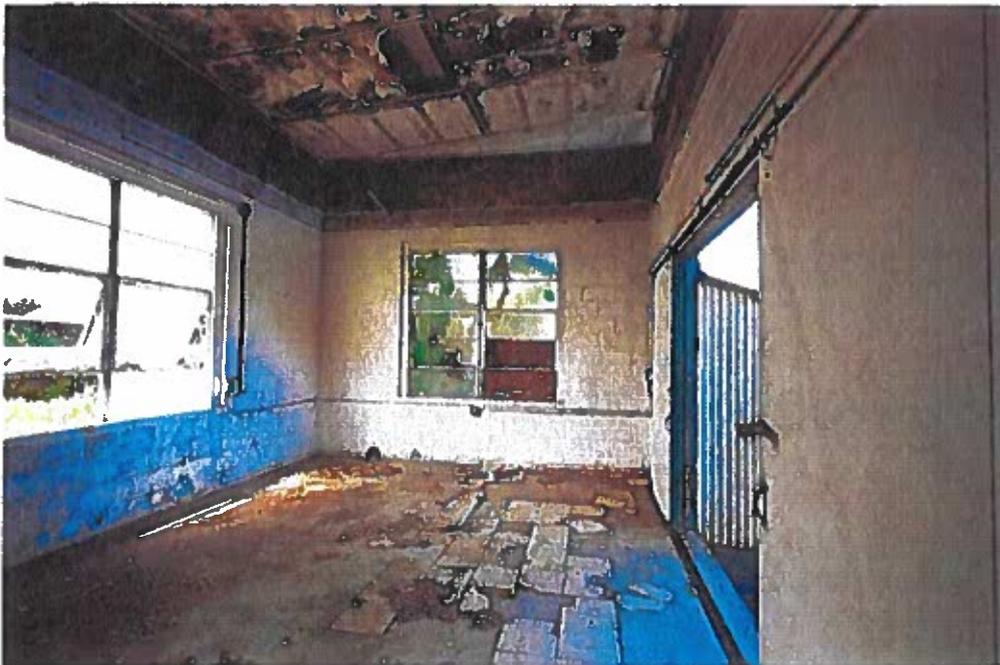


Photo 8, Interior of addition

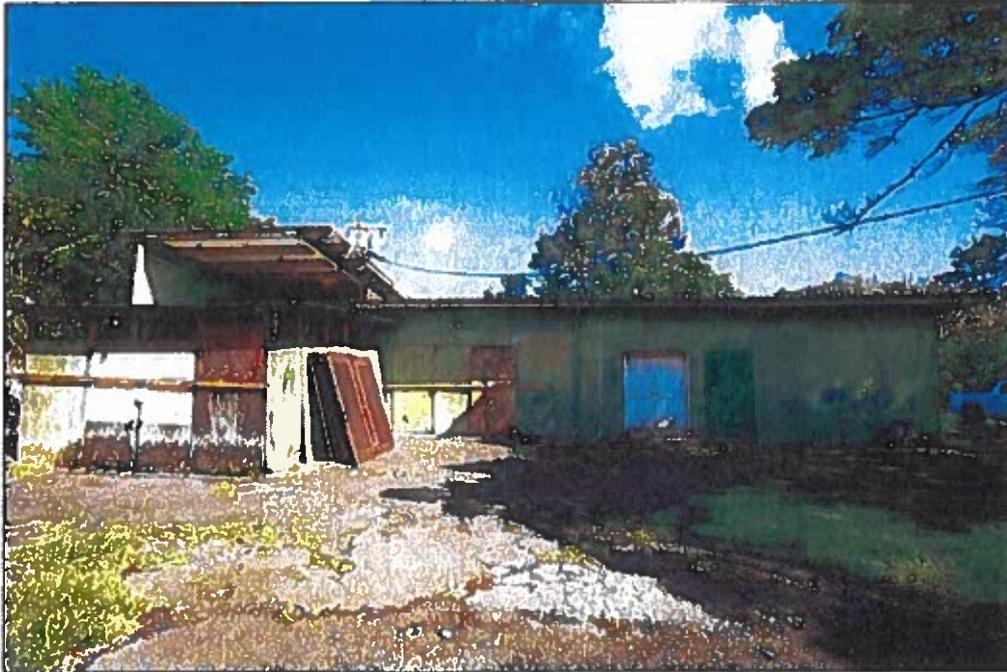


Photo 9, Wooden storage building, from on the property looking East



Photo 10, Wooden storage building from



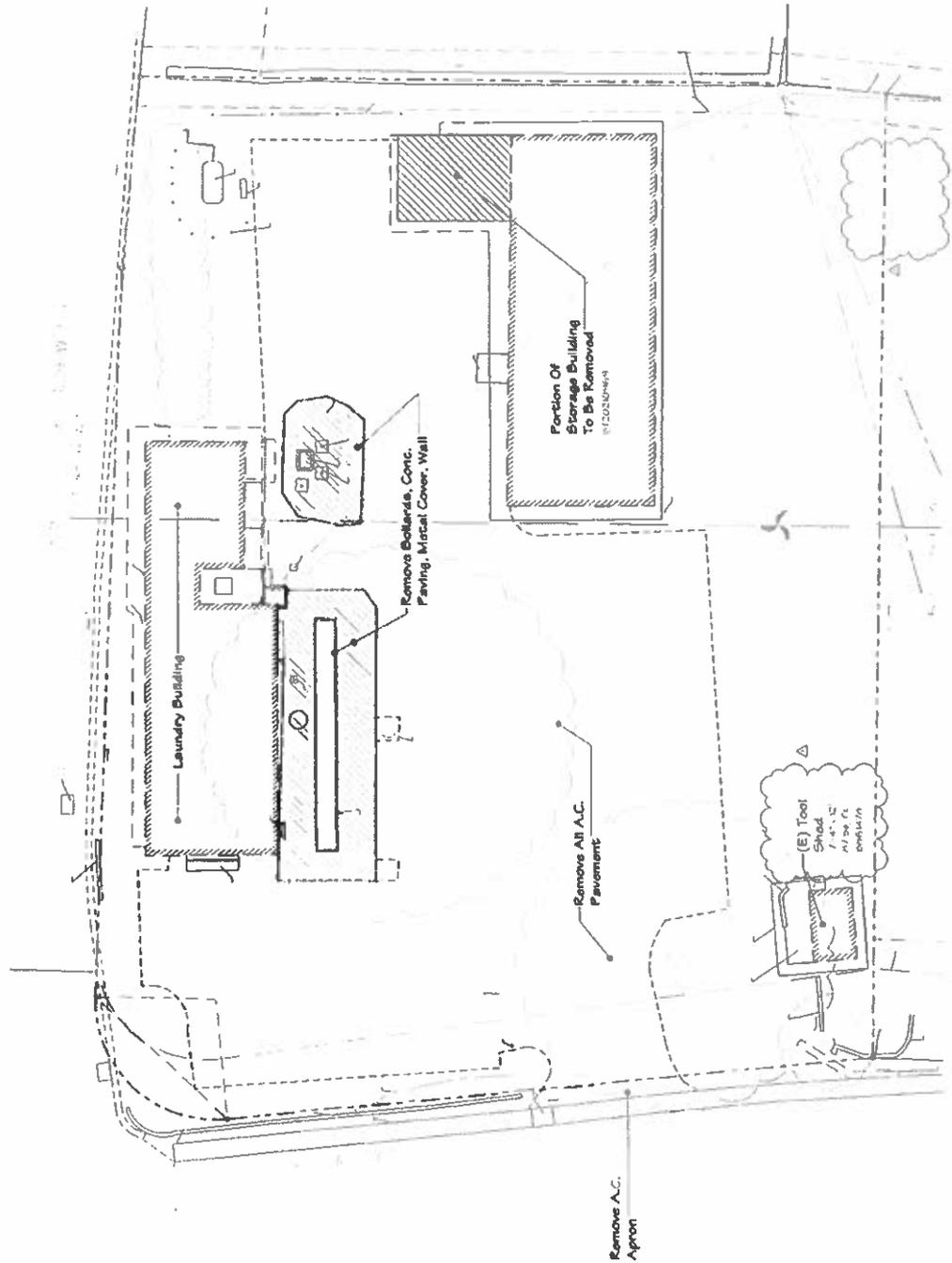
Artist Rendering, restored historic building

EXHIBIT 3

HUNTON CONRAD & ASSOCIATES INC
 Licensed Architect for
 Mani Hana Resort (DE) LLC
 Project Address: Highway 170
 Mani, Hawaii 96741
 Phone: (808) 233-1001
 Fax: (808) 233-1002

AO

Sheet
 Date: 04/24/2017
 Scale: 1/8" = 1'-0"
 Project: 171
 Job: 171-01



Existing Permit No.'s
 ENFORCE EXISTING PERMITS, SHOW IN
 THE RELATED PERMITS

1 Existing/ Demolition Site Plan
 04/24/2017



1	Proposed
2	Existing
3	Other
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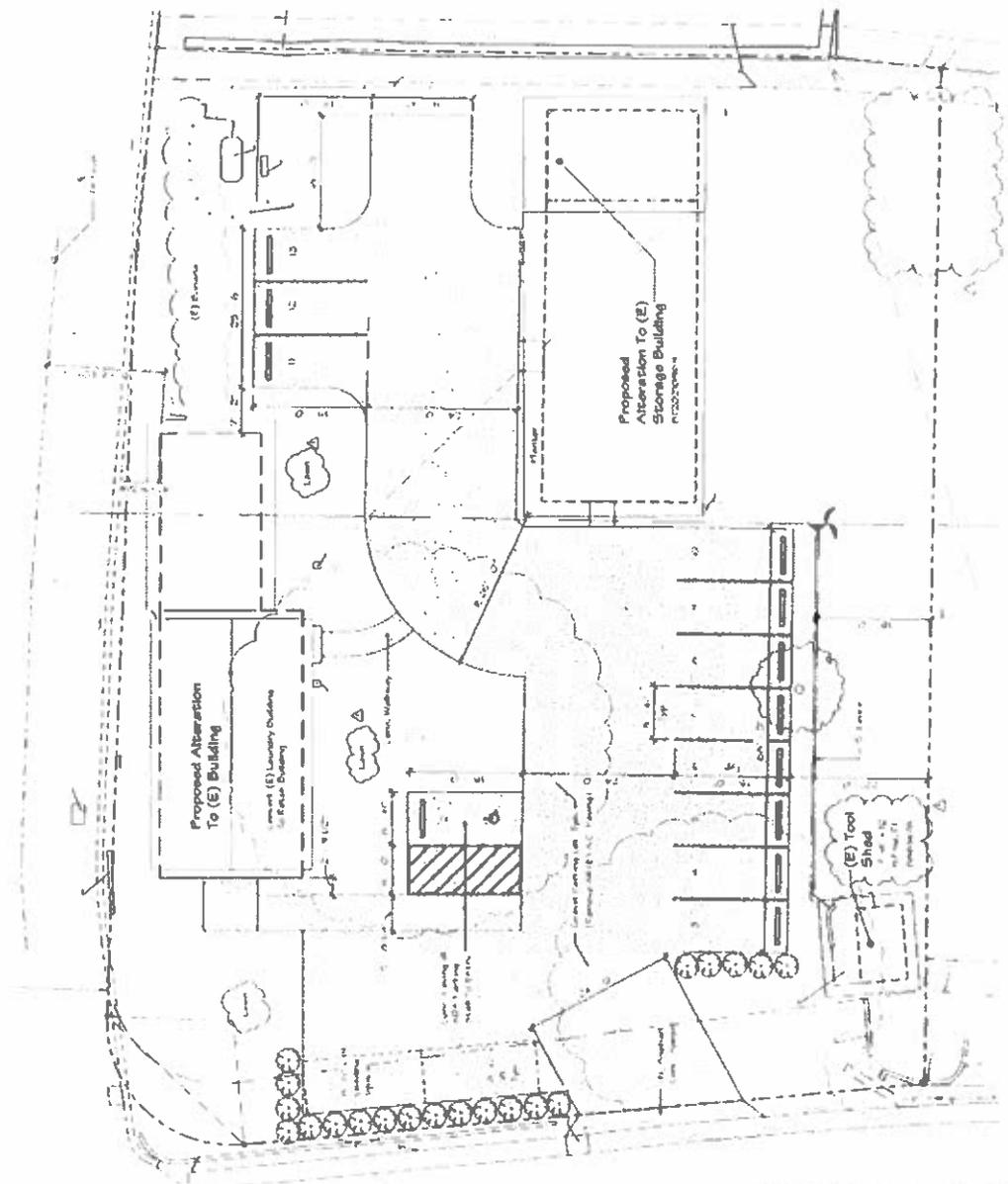
HUNTON CONRAD & ASSOCIATES INC.

Professional Engineer's Seal
 State of Florida
 License No. 12500
 Date: 12/18/2001

Mani Hana Resort (DE) LLC
 12345 Main Street, Anytown, Florida
 32801

A1

Sheet No. 1 of 1
 Date: 12/18/2001
 Project: Mani Hana Resort (DE) LLC
 Drawing: Site Plan



Existing Permit No.'s
 1. 123456789
 2. 987654321
 3. 112233445

Site Plan
 Scale: 1" = 100'



Vicinity Map/ Fire Hydrant Location

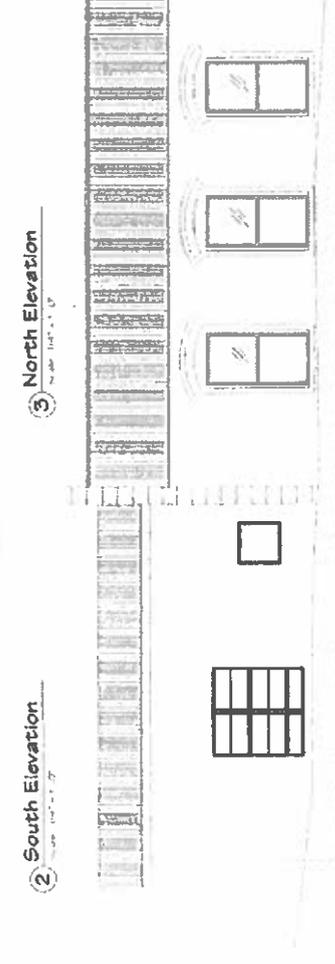
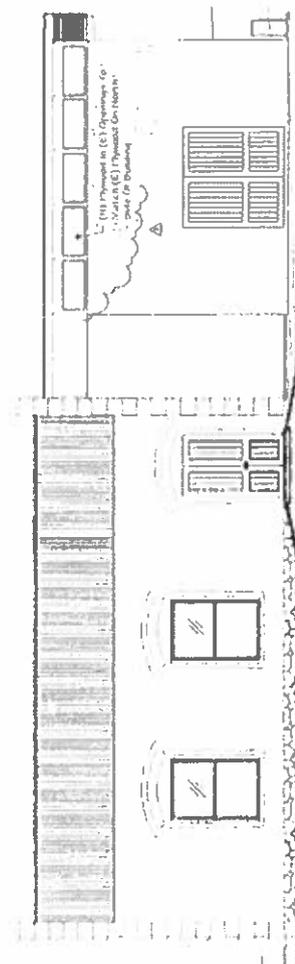
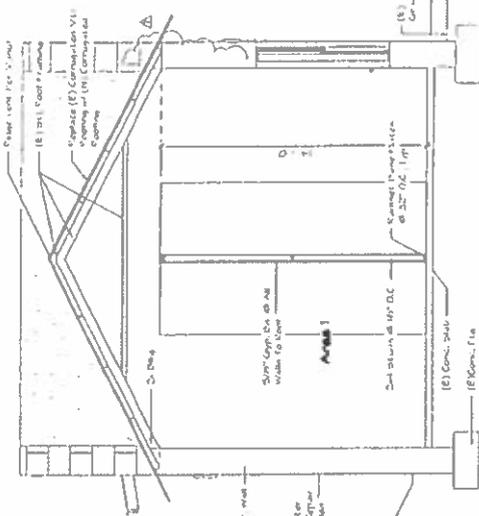
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HUNTON CONRAD & ASSOCIATES INC.
 Registered Professional Engineer
 License No. 10000, State of Hawaii
 1000 Kalia Road, Suite 1000, Honolulu, HI 96813
 Phone: (808) 955-1111
 Fax: (808) 955-1112
 Email: hca@hcainc.com

Mani Hana Resort (DE) LLC
 1000 Kalia Road, Suite 1000, Honolulu, HI 96813
 Phone: (808) 955-1111
 Fax: (808) 955-1112
 Email: hca@hcainc.com

A3



1 East Elevation
 Scale: 1/8" = 1'-0"

2 South Elevation
 Scale: 1/8" = 1'-0"

3 North Elevation
 Scale: 1/8" = 1'-0"

4 West Elevation
 Scale: 1/8" = 1'-0"

5 Building Section 1
 Scale: 3/8" = 1'-0"

6 Building Section 2
 Scale: 3/8" = 1'-0"

WILLIAM SPENCE & ASSOCIATES
LAND USE PLANNING AND CONSULTING

June 28, 2022

Dear Neighbor,

RE: Notice of Application - Hana Store Storage Building, TMK 1 4 013.001

Almost a year ago you were sent a letter to let you know the owners of what many refer to as the "old laundry building," or the "Hana Store," intend to change the zoning on the property. You may recall that the proposed zoning is Business Country Town, but it will be conditioned to limit the types of business uses that might go there. This letter went to all the property owners within 500 feet.

We are ready to file a change of zoning application with the Maui Planning Department. The enclosed form and map are a required part of the process, they are to let you know the application is being filed.

This is a public process, and you are welcome to review the application and any related documents with the Planning Department or myself. Some months from now a public hearing will be held by the Hana Advisory Committee, you will be sent another notification via certified mail letting you know the date, time, and location of the hearing.

In the meantime, and as always, please feel free to call me. My phone number is below, and my email address is mauiwill@gmail.com.

Sincerely,



William Spence

Enclosures

EXHIBIT 4

NOTICE OF APPLICATION

Date 04/22/2022

TO: **OWNERS/LESSEES**

Please be advised that the undersigned has filed an application for a **Change of Zoning** with the County of Maui, Department of Planning for the following parcel(s)

1 Tax Map Key Number	(2) 1-4-013:001	(see attached map)
2 Street address	9 Keawa Place, Hana	
3 Land Use Designations and Change(s) Being Sought	<u>Existing</u>	<u>Proposed</u>
State Land Use District	Urban	Urban
Community Plan	Business/Commercial	Business/Commercial
Zoning	Urban Reserve	Conditional Business Country Town
Other	SMA, Historic Registration	SMA, Historic Registration

4 Description of the existing uses on the Property:

Vacant historic commercial building ("old laundry building"), and wooden storage building

5 Description of the proposed development and uses on the Property

To change the zoning to allow both the preservation of the historic building and and use the property for limited commercial activities such as retail or office

The Applicant is responsible for ensuring accuracy of the information

Owner/Applicant Name <u>Daniel Mani for Mani Hana Resort (DE) LLC</u>	Owner/Applicant Name <u>William Spence (consultant)</u>
Owner/Applicant Signature 	Owner/Applicant Signature 
Phone Number <u>310-777-5070</u>	Phone Number <u>808-280-2724</u>
Mailing Address <u>4200 W SUNSET BLVD STESS WEST HOLLYWOOD CA 90048</u>	Mailing Address <u>P.O. Box 880267 Pukalani, HI 96788</u>



Overview



Legend

- Parcels

Date created: 7/15/2021
Last Data Uploaded: 7/15/2021 4:09:18 AM

Developed by  **Schneider**
GEOSPATIAL

NOTARIZED AFFIDAVIT OF MAILING OF NOTICE OF APPLICATION

William Spence, being first duly sworn on oath, deposes and says that

1. Affiant is the applicant for a Change of Zoning for land situated at 9 Keawa Place, Hana, TMK (2): 1-4-013:001
2. Affiant did on June 29, 2022, deposit in the United States mail, postage prepaid, a copy of a Notice of Filing of Application with a location map, a copy of which is attached hereto as "Exhibit A" and made a part hereof, addressed to each of the persons identified in the list of recorded owners and lessees identified as "Exhibit B," attached hereto and made a part hereof.

Further, Affiant sayeth naught.

William Spence

subscribed and sworn to before me this

6 day of June, 2022

[Stamp or Seal]



Charlene L Sawyer

Notary Public, State of Hawaii

Print Name: CHARLENE L SAWYER

My commission expires: NOV 13 2023

NOTARY PUBLIC CERTIFICATION		
Doc. Date:	<u>6/29/2022</u>	# Pages: <u>1</u>
Notary Name:	<u>CHARLENE L SAWYER</u>	Judicial Circuit: <u>Second</u>
Doc. Description:	<u>affidavit of mailing of notice of application</u>	
Notary Signature:	<u>Charlene L Sawyer</u>	
Date:	<u>6/29/2022</u>	

[Stamp or Seal]

DAVID Y IGE
GOVERNOR



CURT T. OTAGURO
COMPTROLLER
AUDREY HIDANO
DEPUTY COMPTROLLER

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119 HONOLULU, HAWAII 96810-0119

Response refer to
Ma-184(22)

October 3, 2022

MEMORANDUM

TO: Michele Chouteau McLean, Director
Department of Planning, County of Maui

ATTN: Kurt Wollenhaupt, Staff Planner

FROM: Reid K. Siarot, State Land Surveyor *RS*
DAGS, Survey Division

SUBJECT: Hana Store Storage Building Rezoning
Applicant: Mani Hana Resort (DE), LLC
Permit No.: ZPA2022-00001
TMK: 1-4-13: 01

The subject proposal has been reviewed and confirmed that no Government Survey Triangulation Stations or Benchmarks are affected. Survey has no objections to the proposed project.

Should you have any questions, please call me at 586-0390.

EXHIBIT 5

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

DANNH S CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

FIRST DEPUTY

M KALEO MAHUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

January 18, 2023

Jordan Molina, Director
County of Maui
Department of Public Works (DPW)
200 S. High Street
Kalana O Maui Bldg. 4th Fl
Wailuku, HI 96793
c/o lance.nakamura@co.maui.hi.us

IN REPLY REFER TO:
Project No.: 2021PR00889
Doc. No.: 2301MK07
Architecture, Archaeology

Dear Mr. Molina:

**SUBJECT: Chapter 6E-10 and 6E-42 Historic Preservation Review
County of Maui Permit Application – BT2021-1145 and
SMX 2021/0253
Owner: Mani Hana Resort (DE) LLC
9 Keawa Place, Hāna Maui 96713
Kawalpapa Ahupua'a, Hāna District, Island of Maui
TMK: (2) 1-4-013:001**

This letter provides the State Historic Preservation Division's (SHPD's) review of the subject permit applications for the proposed renovation of the Hāna Store. SHPD received the submittal on July 28, 2021, which included a request from the DPW for HRS 6E review, permit application, and construction plans. SHPD received the Maui CRC review of the project on May 6, 2022 (Maui CRC letter dated February 3, 2022), revised construction plans, and a Historic Plaster report via email on July 11, 2022.

The landowner, Mani Hana Resort (DE) LLC proposes the subject project. The project area comprises the entire 21,711-sq.-ft. parcel. The project involves interior and exterior repairs to the original 19th-century portion of the building and the 20th-century addition as well as the removal of the attached shed. In addition, the project will also include removing and replacing the parking surfaces, and site work for landscaping and irrigation.

EXHIBIT 6

Mr. Molina
January 18, 2023
Page 2

The proposed ground disturbances include removing asphalt, concrete paving, and other miscellaneous objects in approximate 9,807 sq. ft. area (160 ft x 99 ft x 1 ft deep), construct two new concrete ADA parking and walkways (50 ft x 22 ft x 1 ft deep and 18 ft x 6 ft x 1 ft deep) and construct a new gravel parking lot consisting of an 7,000 sq ft area (160 ft x 86 ft x 6 in.).

The Hana Store (ca 1876) is listed in the Hawai'i Register of Historic Places (SIHP # 50-50-13-01628) and is significant under **Criterion a** for its association with the development of Hana and the contribution made to the community via its mercantile activities. Recent research by the Maui Planning Department indicates that the building previously known as the Hana Store is actually the Storage Building and was built sometime between 1882 and 1890. The Storage Building is a simple, rectangular, single-story, white-washed, stone building with a corrugated metal gable roof that terminates in parapets. A small, single-story, gable-roofed addition was built onto the rear of the building during the 1950s-60s. The retail portion of the Hana Store building and associated additions were demolished at indeterminate dates and the Storage Building is the only remnant of the Hana Store.

In a letter dated February 3, 2022, the Maui Cultural Resources Commission provided several recommendations for the proposed project, including the preservation and reglazing of the historic metal-frame awning windows, retention of the window shutter hinges, retention of the modern clerestory windows in the rear addition, preservation and maintenance of the 19th-century Fink Trusses, and analysis of historic plaster to ensure repairs are made with compatible materials. The Maui CRC also recommended Historic American Building Survey (HABS) documentation and an update of the Hawai'i Historic Register nomination to reflect the new information that has been compiled by the Maui Planning Department. SHPD concurs with the Maui CRC recommendations.

The project proponent's revised construction plans implements the Maui CRC's design recommendations and meets the *Secretary of the Interior's Standards for the Treatment of Historic Properties with guidelines for preserving, rehabilitating, restoring, and reconstructing historic buildings*. The proposed project will not remove any distinctive materials or alter historic features, spaces, and spatial relationships that characterize the property. Therefore, the proposed project will not affect the design, workmanship, materials, setting, location, association, and feeling of the historic property.

SHPD notes that the Maui Planning Department is working with the applicant to submit the HABS documentation and an update of the Hawai'i Historic Register nomination. SHPD looks forward to **receiving a final copy of the HABS documentation along with the National Park Service acceptance letter and the updated Historic Register Nomination**. SHPD appreciates the efforts of the Maui CRC, Maui Planning Staff, and applicant to retain the historic integrity of the Hana Store Building.

Per HAR §13-284-7, the project will have no effect on significant historic properties, and therefore SHPD's determination is **no historic properties affected**.

Mr. Molina
January 18, 2023
Page 3

Pursuant to HAR §13-284-7(e), the historic preservation review process is ended. The permit issuance process may proceed. Please maintain a copy of this letter with your administrative record for this undertaking.

Please attach to permit: In the unlikely event that subsurface historic resources, including human skeletal remains, structural remains, cultural deposits, artifacts, sand deposits, or sinkholes are identified during the demolition and/or construction work, cease work in the immediate vicinity of the find, protect the find from additional disturbance, and contact the State Historic Preservation Division, at (808) 652-1510.

Please contact Mary Kodama, Architectural Historian, at mary.kodama@hawaii.gov for any architectural concerns or matters regarding this letter or 'Iolani Kauhane, Maui Archaeologist III, at iolani.kauhane@hawaii.gov for any matters regarding archaeological resources.

Aloha,

Alan Downer

Alan S. Downer, PhD
Administrator, State Historic Preservation Division
Deputy State Historic Preservation Officer

cc: Kurt Wollenhaupt, kurt.wollenhaupt@co.maui.hi.us
Conrad Hutton, conradhunton@gmail.com
Glen Ueno, building.permits@mauicounty.gov
Stanley Solamillo, stanley.c.solamillo@co.maui.hi.us



**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

DAVID Y. IGE
GOVERNOR

MARY ALICE EVANS
DIRECTOR

235 South Beretania Street, 8th Floor, Honolulu, Hawaii 96813
Mailing Address: P. O. Box 2359, Honolulu, Hawaii 96804

Telephone (808) 587-2846
Fax (808) 587-2824
Web <http://planning.hawaii.gov/>

DTS202209231030NA

Coastal Zone
Management
Program

October 12, 2022

Environmental
Review Program

Ms. Michele Chouteau McLean, AICP
Director
Department of Planning
County Of Maui
One Main Plaza
2200 Main Street, Suite 315
Wailuku, Hawai'i 96793
Attn.: Kurt Wollenhaupt

Land Use
Commission

Land Use Division

Special Plans
Branch

State Transit-
Oriented
Development

Subject: Agency Response for – Permit No. ZPA2022-00001,
Hana Store Storage Building Rezoning,
Hana, Maui, Hawai'i
TMK: (2) 1-4-013:001

Statewide
Geographic
Information System

Statewide
Sustainability Branch

Thank you for the opportunity to provide comments on the proposed zone change for the Hana Store Storage Building, located in Hana, Maui. The agency review notification was received by our office via email dated September 22, 2022.

The permit submittal for rezoning adequately addresses our office's programmatic and jurisdictional issues of concern. Per instructions, we are notifying your department that we have no further comments on permit application ZPA2022-00001.

If you have any questions or concerns regarding this letter, please contact; Joshua Hekekie of our office at (808) 587-2845.

Sincerely,

Mary Alice Evans

Mary Alice Evans
Director

EXHIBIT 7

DAVID Y. IGE
GOVERNOR OF HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Oct 20, 2022

County of Maui
Department of Planning, Current Division
Attn: Mr. Kurt Wollenhaupt, Staff Planner
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

via email: kurt.wollenhaupt@mauicounty.gov

Dear Mr. Wollenhaupt:

SUBJECT: Application for a Conditional Change of Zoning from Urban Reserve to Conditional Business Country Town for the **Hana Store Storage Building Rezoning** located at 9 Keawa Place, Hana, Island of Maui; TMK: (2) 1-4-013:001 on behalf of Mani Hana Resort (DE) LLC

Thank you for the opportunity to review and comment on the subject matter. The Land Division of the Department of Land and Natural Resources (DLNR) distributed or made available a copy of your request pertaining to the subject matter to DLNR's Divisions for their review and comments.

At this time, enclosed are comments from the (a) Engineering Division, (b) Division of Forestry & Wildlife, and (c) Land Division-Maui District on the subject matter. Should you have any questions, please feel free to contact Darlene Nakamura at (808) 587-0417 or email: darlene.k.nakamura@hawaii.gov. Thank you.

Sincerely,

Russell Tsuji

Russell Y. Tsuji
Land Administrator

Enclosures
cc: Central Files

EXHIBIT 8

DAVID Y. IGE
GOVERNOR OF HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Sep 26, 2022

MEMORANDUM

FROM: ~~TO:~~ **DLNR Agencies:**
 ___ Div. of Aquatic Resources
 ___ Div. of Boating & Ocean Recreation
X ~~Engineering Division~~ (DLNR.ENGR@hawaii.gov)
X Div. of Forestry & Wildlife (rubyrosa.t.terrago@hawaii.gov)
 ___ Div. of State Parks
X Commission on Water Resource Management (DLNR.CWRM@hawaii.gov)
 ___ Office of Conservation & Coastal Lands
X Land Division – Maui District (daniel.l.ornellas@hawaii.gov)

TO: **FROM:** Russell Y. Tsuji, Land Administrator *Russell Tsuji*
SUBJECT: Application for a Conditional Change of Zoning from Urban Reserve to Conditional Business Country Town for the **Hana Store Storage Building Rezoning**

LOCATION: 9 Keawa Place, Hana, Island of Maui; TMK: (2) 1-4-013:001
APPLICANT: County of Maui on behalf of Mani Hana Resort (DE) LLC

Transmitted for your review and comment is information on the above-referenced subject matter. Please submit any comments by **October 20, 2022**.

If no response is received by the above date, we will assume your agency has no comments. Should you have any questions about this request, please contact Darlene Nakamura at darlene.k.nakamura@hawaii.gov. Thank you.

BRIEF COMMENTS:

- () We have no objections.
- (✓) We have no comments.
- () We have no additional comments.
- () Comments are included/attached.

Signed 
 Print Name Carty S. Chang, Chief Engineer
 Division Engineering Division
 Date: Oct 20, 2022

Attachments
cc: Central Files

DAVID Y. IGE
GOVERNOR OF HAWAII



SUZANNE O. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Sep 26, 2022

MEMORANDUM

TO: DLNR Agencies:
___ Div. of Aquatic Resources
___ Div. of Boating & Ocean Recreation
X Engineering Division (DLNR.ENGR@hawaii.gov)
X Div. of Forestry & Wildlife (rubvrosa.l.terrago@hawaii.gov)
___ Div. of State Parks
X Commission on Water Resource Management (DLNR.CWRM@hawaii.gov)
___ Office of Conservation & Coastal Lands
X Land Division – Maui District (daniel.l.ornellas@hawaii.gov)

FROM: Russell Y. Tsuji, Land Administrator *Russell Tsuji*

SUBJECT: Application for a Conditional Change of Zoning from Urban Reserve to Conditional Business Country Town for the Hana Store Storage Building Rezoning

LOCATION: 9 Keawa Place, Hana, Island of Maui; TMK: (2) 1-4-013:001

APPLICANT: County of Maui on behalf of Mani Hana Resort (DE) LLC

Transmitted for your review and comment is information on the above-referenced subject matter. Please submit any comments by **October 20, 2022**.

If no response is received by the above date, we will assume your agency has no comments. Should you have any questions about this request, please contact Darlene Nakamura at darlene.k.nakamura@hawaii.gov. Thank you

BRIEF COMMENTS:

() We have no objections.
() We have no comments.
() We have no additional comments.
() Comments are included/attached.

Signed: 
Print Name: Daniel Ornellas
Division: MDLO
Date: 10/1/22

Attachments
cc: Central Files

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

JADE T. BUTAY
DIRECTOR

Deputy Directors
ROSS M. HIGASHI
EDUARDO P. MANGLALLAN
DAVID J. RODRIGUEZ
EDWIN H. SNIFFEN

IN REPLY REFER TO:

DIR 0922
STP 8.3484

October 21, 2022

VIA EMAIL: kurt.wollenhaupt@co.maui.hi.us

Ms. Michele Chouteau McLean
Director
Department of Planning
County of Maui
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

Attention: Kurt Wollenhaupt

Dear Ms. McLean:

Subject: Hana Store Storage Building Rezoning – ZPA2022-00001
Hana, Maui, Hawaii
Tax Map Key: (2) 1-4-013: 001

Thank you for your email on September 22, 2022, requesting the Hawaii Department of Transportation's (HDOT) review of the subject application. HDOT understands that the owner Mani Hana Resort (DE) LLC is proposing to rehabilitate the historic building, and to reestablish commercial use of the property by rezoning the property from Urban Reserve to Business Country Town. The subject property is located at the corner of State Route 360, Hana Highway and Keawa Place.

HDOT has the following comments:

Airports Division (HDOT-A)

1. The property is approximately 3.07 miles from the property boundary of Hana Airport (HNM). All projects within 5 miles from Hawaii State airports are advised to read the Technical Assistance Memorandum (TAM) for guidance with development and activities that may require further review and permits. The TAM can be viewed at this link: http://files.hawaii.gov/dbedt/op/docs/TAM-FAA-DOT-Airports_08-01-2016.pdf.

EXHIBIT 9

Ms. Michele Chouteau McLean
October 21, 2022
Page 2

STP 8.3484

2. Due to the project's proximity to HNM, the applicant and future users should be aware of potential single event noise from aircraft operations. There is also a potential for fumes, smoke, vibrations, odors, etc., resulting from occasional aircraft flight operations over or near the project. These incidences may increase or decrease over time and are dependent on airport operations

Highways Division (HDOT-HWY)

The existing building is historical, and no significant changes or expansions are planned for the property. Based on the information provided, the proposed project does not appear to directly or indirectly impact the State highway system.

If there are any questions, please contact Mr. Blayne Nikaido of the HDOT Statewide Transportation Planning Office at (808) 831-7979 or via email at blayne.h.nikaido@hawaii.gov.

Sincerely,



JADE T. BUTAY
Director of Transportation

DAVID Y. IGE
GOVERNOR OF HAWAII



ELIZABETH A. CHAR, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU HI 96801-3378

In reply, please refer to
File

April 21, 2022

Linda V Taylor
Linda Taylor Engineering, Inc.
P.O. Box 779
Makawao, HI 96768

Dear Sir/Madam:

Subject: Individual Wastewater System (IWS) for
Owner/Lessee: - Mani Hana, Resort, LLC
Project Site: 9 Keawa Place, Hana, HI
TMK: 214013001
IWS File No.: 67718 (Septic Tank) E-Filed
Old File No.: N/A

We have received your IWS final inspection report, **Certification of Construction** and As Built Plans for the above IWS. Information submitted to us indicates that the installed IWS meets applicable provisions of Hawaii Administrative Rules, Title 11, Chapter 62, entitled Wastewater Systems.

The subject IWS is hereby approved for use.

As the professional engineer responsible for the **Certification of Construction**, please inform your client that the above IWS is approved for use. You are also responsible for seeing that your client receives a copy of this Approval for Use letter together with the IWS as-built plans. We strongly recommend that you discuss the necessary operation and maintenance of the individual wastewater system with your client. Emphasis should be placed on periodic inspections of scum and sludge accumulation as well as informing them not to dispose of materials that could affect the operation of the wastewater system.

If the IWS is an aerobic system, please inform your client that an active service contract must be maintained. Furthermore, the Department of Health may perform an annual inspection of the subject wastewater system for compliance with our Chapter 11-62 rules.

Should you have any questions, please feel free to contact Roland Tejano at 984-8232.

Sincerely,

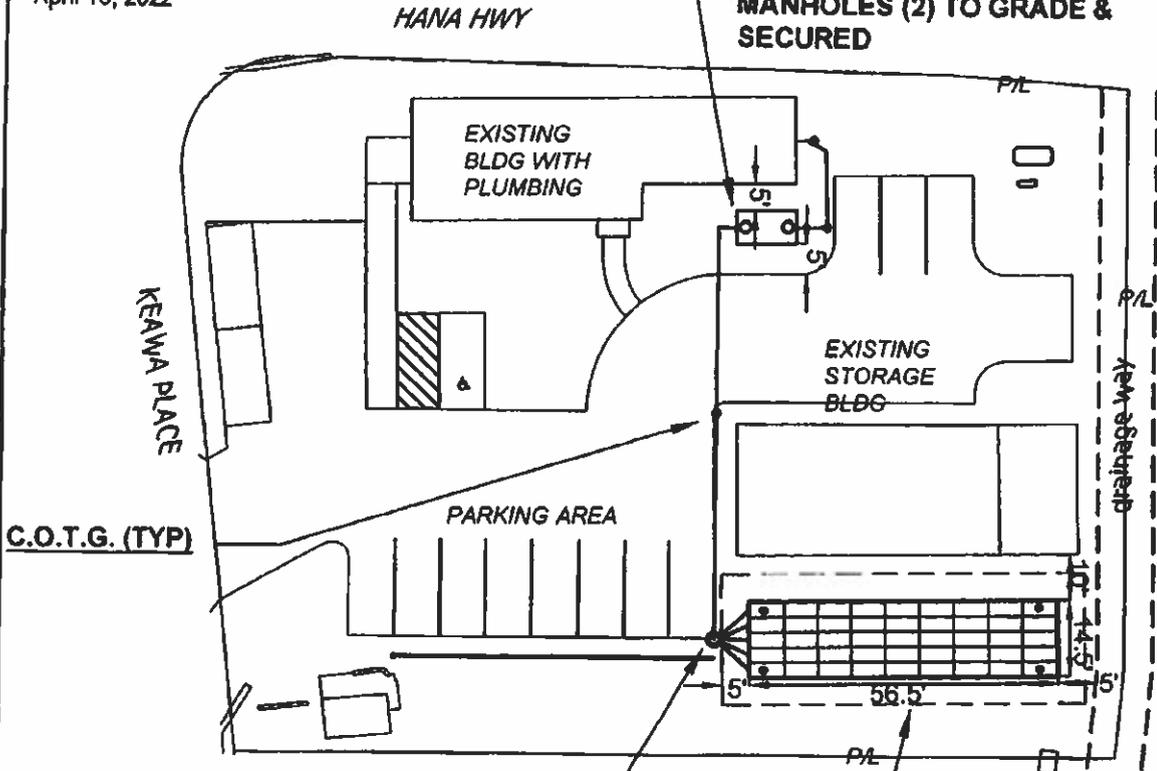
A handwritten signature in black ink, appearing to read "Sina Pruder".

SINA PRUDER, P.E.
Chief, Wastewater Branch

EXHIBIT 10

INDIVIDUAL WASTEWATER DESIGN FOR :
MANI HANA RESORT
 TMK: (2) 1-4-013:001
 April 13, 2022

**1250 GALLON CONCRETE,
 JENSEN PRECAST JP1250
 COMMERCIAL SEPTIC TANK:
 MANHOLES (2) TO GRADE &
 SECURED**



**COMMERCIAL DISTRIBUTION BOX:
 MANHOLE COVER TO GRADE**

**1000 GAL CAPACITY SOIL ABSORPTION FIELD:
 14.5 FT X 56.5 FT**

5 rows of 9 H20 (45 TOTAL) INFILTRATOR CHAMBERS ON 6" GRAVEL BACKFILLED WITH 6" GRAVEL OVER CHAMBERS, CONTINUOUS FILTER FABRIC AND GEOGRID EXTENDING 5 FT ALL DIRECTIONS. INSPECTION PORTS (4) EACH CORNER.

SETBACKS FROM IWS:

- BUILDINGS/WALLS: 5 FT
- PROPERTY LINES: 5 FT
- LARGE TREES: 10 FT
- WATER BODY: 50 FT
- TANK/BED: 5 FT
- DRIVEWAY: 5 FT

Based on Information provided by Contractor



Linda VandeGraaff Taylor 4/13/22

SIGNATURE EXP 04/30/24
 THIS WORK WAS PREPARED BY
 ME OR UNDER MY SUPERVISION



Linda Taylor Engineering, Inc.
 Post Office Box 779, Makawao, Maui, Hawaii



AS BUILT

SCALE: 1" = 30'

AGENCY COMMENTS:

(Viewable in MAPPS Workflow)

Commenting Agency: Fire & Public Safety

Assigned Reviewer: Oliver Vaas

Date Completed in MAPPS: 10/24/2022

Overall Comments: Water supply and access for fire protection shall be in accordance with land use designation.

EXHIBIT //

AGENCY COMMENTS:

(Viewable in MAPPS Workflow)

Commenting Agency: Department of Environmental Managemet

Assigned Reviewer: Scott Rollins

Date Completed in MAPPS: 10/24/2022

Overall Comments: We reviewed the subject application and have the following comments. 1. Solid Waste Division – No Comments. 2. Wastewater Reclamation Division. The County does not have a sewer system in the area.

MICHAEL P. VICTORINO
Mayor
MICHELE CHOUTEAU MCLEAN, AICP
Director
JORDAN E. HART
Deputy Director



DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

February 25, 2022

Hunton Conrad
1102 Mailuna Place
Makawao, Hawai'i 96768

Dear Mr. Conrad:

RE: COMMENTS FROM THE MAUI COUNTY CULTURAL RESOURCES COMMISSION ON PLANS TO ALTER THE FORMER HĀNA STORE STORAGE BUILDING AT KEAWA PLACE, HĀNA, TMK (2) 1-4-013:001 (SMX 2021/0253)

At its February 3, 2022 meeting, the Maui County Cultural Resources Commission (Commission) reviewed the subject plans and voted to adopt the recommendations as stated in the attached staff report.

Should you have any questions or require additional clarification, please contact Annalise Kehler, Cultural Resources Planner, at (808) 270-7506 or email annalise.kehler@mauicounty.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "michele".

MICHELE CHOUTEAU MCLEAN, AICP
Planning Director

xc: Hunton Conrad, consultant, conradhunton@gmail.com (PDF)
Mani Hana Resort (DE) LLC, applicant/owner, dmani@manibrothers.com (PDF)
Will Spence, mauiwill@gmail.com (PDF)
Paul Fasi, Current Division (PDF)
Mary Kodama, State Historic Preservation Division, mary.kodama@hawaii.gov (PDF)
Andrew McCallister, State Historic Preservation Division, andrew.mccallister@hawaii.gov (PDF)
Janet Six, County Department of Management (PDF)

MCM:AAK:rhl

K:\WP DOCS\Planning\CRC\2021 Design Reviews\Rehabilitation - Hana Store (Laundry Bldg)\Comment Letter to Hunton Conrad - Hana Store Renovations.doc

EXHIBIT 13

MICHAEL P. VICTORINO
Mayor
MICHELE CHOUTEAU MCLEAN, AICP
Director
JORDAN E. HART
Deputy Director



**DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793**

February 3, 2022

MEMORANDUM

TO: Chair Brandis Sarich and Members of the Cultural Resources Commission
FROM: Michele Chouteau McLean, AICP, Planning Director 
SUBJECT: DESIGN REVIEW FOR PLANS TO ALTER THE FORMER HĀNA STORE STORAGE BUILDING AT KEAWA PLACE, HĀNA, TMK (2) 1-4-013:001 (SMX 202/0253)

REQUEST

The consultant, Hunton Conrad, on behalf of owner and applicant, Mani Hana Resort (DE) LLC, requests the Cultural Resources Commission's (Commission) comments on plans to alter the former Hāna Store storage building. The subject building was listed in the Hawai'i Register of Historic Places in 1990.

AUTHORITY

The Commission is authorized to comment on projects that affect buildings eligible for the Hawai'i Register of Historic Places under Subsection 2.88.060.F, Maui County Code.

BACKGROUND

This staff report replaces an earlier version dated December 2, 2021. The report has been updated to reflect revised plans that were submitted to the Department of Planning in January of this year.

The plans call for the following alterations to the subject building and site:

- Removal of an attached shed.
- Removal and replacement of current parking surfaces.
- Sitework like landscaping and irrigation.
- Interior and exterior repairs and changes to the original, 19th century portion of the building and the 20th century addition.

Please review the attached plans for additional information.

For historical background on the building, please review the attached report, which was researched and compiled by Department planner Stanley Solamillo.

FINDINGS

As stipulated in Subsection 2.88.060.F, Maui County Code, the Commission is guided by the Secretary of the Interior's Standards for Rehabilitation (Standards) when performing design review for projects affecting historic buildings eligible for listing in the Hawai'i or National Registers of Historic Places. Because the building is listed in the Hawai'i Register, this staff report uses the Standards to analyze the plans.

The Standards that apply to this project include:

- **Standard #1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.**

Analysis: Historically, the building functioned as the storage building for the Hāna Store (which no longer exists). Most recently, it served as the laundry facility for the hotel in Hāna. The plans have been modified so that conversion of the building to retail use will involve minimal changes to the building. Interior walls will no longer be placed in front of existing window openings. New interior wood walls that obscure the interior surfaces of the historic coral and stone walls will no longer be constructed.

Sheet A1 indicates that a gravel parking lot will cover a large portion of the site. While this is better than the asphalt concrete surface that currently serves as the parking lot, perhaps some areas, especially by the proposed loading area at the corner of Keawa Place and Hāna Highway, could use grass-crete instead.

Sheets A2 and A3 indicate that a new air conditioning system will be installed. Preservation Brief 24, which discusses best practices for selecting mechanical systems for historic buildings, should be consulted: <https://www.nps.gov/tps/how-to-preserve/briefs/24-heat-vent-cool.htm>

- **Standard #2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.**

Analysis: The windows have shutter hinges on their exterior surrounds. These hinges should be retained and preserved because they indicate that the building once had shutters. Retaining these hinges may allow for the installation of operable shutters in the future.



Figure 1 - Shutter hinges visible on historic window surrounds.

- **Standard #3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.**

Analysis: If possible, historic photos of the building should be located. This will ensure that conjectural replacement windows and doors are avoided.

- **Standard #4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.**

Analysis: The rear addition appears to have been made sometime between the 1940s and 1960s, making it likely over 50 years old. At this point, the addition is probably historic in its own right, so it is appropriate that it be retained. The plans should ensure that the unique, character-defining features of this addition are retained as well. Currently, sheet A3 indicates that the screened clerestory openings on the addition's primary facade will be covered with plywood. This is an interesting and unique feature that should be retained and preserved, if possible.

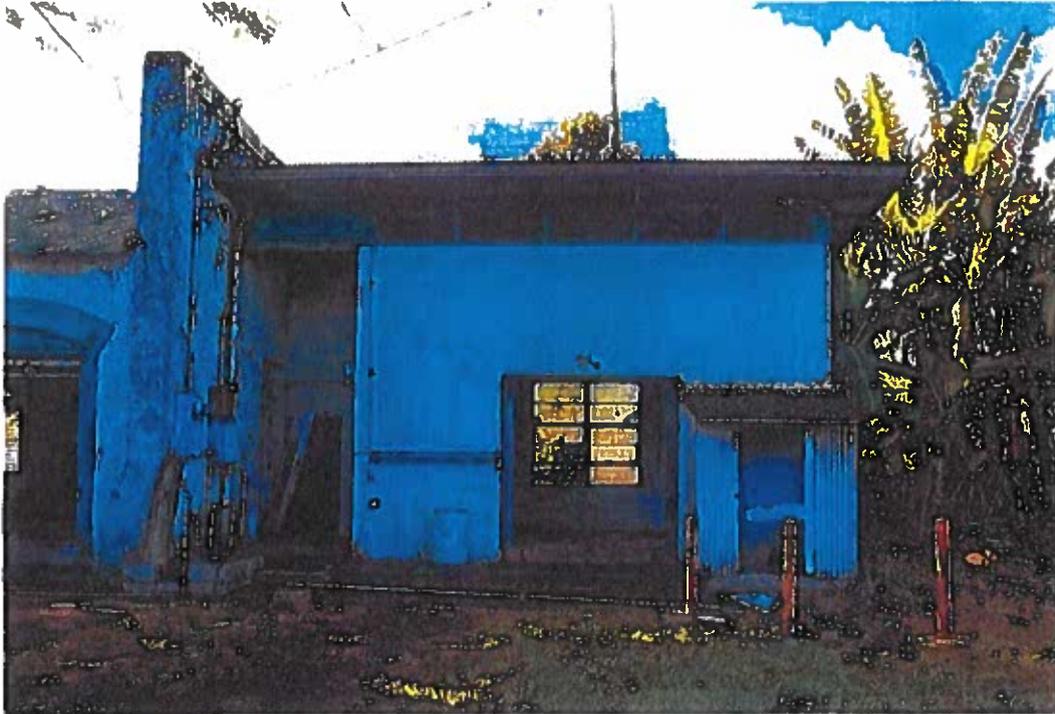


Figure 2 - Clerestory openings on 20th century addition.

Sheets A2 and A4 indicate that the historic metal-framed awning windows will be retained and reglazed. These windows are unique, so preserving and repairing them is consistent with this standard.



Figure 3 - Metal-framed awning windows on 20th century addition.

- **Standard #5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.**

Analysis: Samples of plaster on the original, 19th century portion of the building should be collected and sent to a laboratory for analysis. Repairs should be made with a plaster mixture that is chemically similar to or compatible with the plaster on this portion of the building. Modern cement plasters are typically harder than historic lime-based plasters and are therefore inappropriate for use in repairs, especially if the original plaster is found to still be intact. The

project should consult and follow the guidance provided in Preservation Brief 22 concerning the preservation and repair of historic plaster (stucco): <https://www.nps.gov/tps/how-to-preserve/preservedocs/preservation-briefs/22Preserve-Brief-Stucco.pdf>

Care should also be taken to ensure that repairs do not alter the unique texture of the plaster walls on the 19th century portion of the building.



Figure 4 - Photo demonstrating unique texture of the historic masonry walls.

The roof framing in the original portion of the building consists of historic top chords, trusses, and a ridge beam made of metal. The bottom chords consist of metal rods. This roof framing system is highly unique and rare. It is a character-defining feature. Originally, the plans called for installation of a drop ceiling, which would obscure this framing system. This has since been eliminated and the structural members will be left exposed. Additionally, it is recommended that the rust be removed from them and that they be primed and painted with an appropriate paint. It appears that the members are made of cast and wrought iron. This should be verified and then best practices for cleaning and maintenance should be determined based on the metal type. This would protect the members and help ensure they last another 131 years.



Figure 5 - Interior roof framing in original portion of the building.

- **Standard #6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.**

Analysis: As indicated in the analysis of Standard #3, historic photos would help ensure that windows and doors are fitted with appropriate replacements. Investigation of window frames on the original portion of the building should also be done to see if any of them are historic. Information, such as the width and thickness of top and bottom sashes, can sometimes be obtained from original window frames. Original window frames might also indicate how deep each sash sat within the frame. Same with window sill and stool details. If any originals remain, they can be measured and documented. All of this information can be used to select appropriate replacement windows and details.

- **Standard #7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.**

Analysis: Care should be taken to ensure that best practices are used to clean and prepare exterior and interior surfaces. Preservation Brief 1, which discusses cleaning practices for

historic masonry buildings should be consulted: <https://www.nps.gov/tps/how-to-preserve/preservedocs/preservation-briefs/01Preserve-Brief-Cleaning.pdf>

- **Standard #8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.**

Analysis: According to the Special Management Area Assessment Application, the existing asphalt concrete and concrete paving at the parking lot will be removed and replaced with gravel and concrete paving. The proposed ground disturbance includes an area of approximately 9,800 square feet and a maximum depth of excavation of one foot. The quantity of cut/fill is identified on the application as three cubic yards.

Additionally, the plans indicate that new landscaping, drip irrigation, and a backflow preventer will be installed.

Given the age of the building and related site features as well as the property's proximity to nearby cultural sites, consultation with the State Historic Preservation Division and the County Archaeologist should be done to determine what archaeological identification or mitigation measures may be appropriate for the project.

DEPARTMENT RECOMMENDATIONS

In addition to the findings and recommendations previously discussed in this report, the Department also recommends the following:

- The building may be worthy of being recorded as a Historic American Building Survey (HABS) project like other significant buildings in Maui County.
- The current Hawai'i Register nomination needs to be updated with the new information that has been compiled by the Department. The updated nomination should change the building's name from "Hāna Store" to the "Hāna Store Storage Building," as it originally served as the storage building for the store, not the actual store.

Attachments

xc: Hunton Conrad, Consultant, conradhunton@gmail.com (PDF)
William Spence, mauiwill@gmail.com (PDF)

MCM:AAK:rhI

K:\WP_DOCS\Planning\CRC\2021\Design Reviews\Rehabilitation - Hana Store (Laundry Bldg)\Staff Report to CRC V2 - Design Review-Rehabilitation-Hana Store.docx

19.15.020 - Permitted uses.

Within the B-CT country town business district, the following uses shall be permitted:

Permitted uses	Criteria or limitations
Amusement and recreational activities	Conducted wholly within a completely enclosed building
Animal hospitals, including boarding	
Art and music studios	
Auditoriums, theaters, gymnasiums including fitness centers, private clubs and dance halls	
Automobile services	
Bed and breakfast homes, in lawfully existing single-family dwellings	Subject to the restrictions and standards of <u>section 19.64.030</u> of this code
Buildings and premises used, owned, or operated by government agencies, including community centers	
Combinations of dwelling units with other permitted uses in the same building	Except on Molokai
Communication equipment and antennae	Provided that it is part of or supported by a building
Day care facilities	Except on Molokai
Eating and drinking establishments	
Educational institutions	

EXHIBIT 14

Education, specialized	
Farmer's markets	
General merchandising	
General office	
Hardware, feed, and garden stores	Provided, that feed and fertilizer are kept within an enclosed building
Home occupations	Within lawfully existing single-family dwellings
Libraries	
Multifamily dwellings, duplexes, and bungalow courts	Except on Lanai and Molokai
Museums	
Parking lots	
Personal and business service	Except for dry cleaning on Lanai. Printing establishments shall be conducted within an enclosed building
Pet shops	
Recycling collection center	Conducted wholly within a completely enclosed building or within an area enclosed on all sides by a solid fence or wall at least six feet in height; and provided, that no goods, materials, or objects shall be stacked higher than the fence or walls so erected

Redemption center	
Religious, benevolent, or philanthropic societies, civic organizations, and quasi-public uses	
Short-term rental homes, in lawfully existing single-family dwellings	Subject to the restrictions and standards of <u>chapter 19.65</u> of this code
Swap meet or open air market	
Taxicab, car rental, and U-drive stations and offices	
Warehouse facilities associated with a permitted use within the district	
Other similar businesses or commercial enterprises or activities that are not detrimental to the welfare of the surrounding area	Provided that such uses shall be approved by the appropriate planning commission as conforming to the intent of this article

Hana Store Rehabilitation and Change of Zoning

Hana Town Hall
October 6, 2021

On behalf of Hana Maui Resort and
Mani Brothers

by Will Spence
William Spence & Associates

EXHIBIT

15

Why present?

- Inform the community what is going on
 1. Rehabilitate the building – it is deteriorating
 2. Change the zoning – community input
- Answer questions and get your feedback

Location



State Register of Historic Places

8. Statement of Significance

Certifying official has considered the significance of this property in relation to other properties:

nationally statewide locally

Applicable National Register Criteria A B C D

Criteria Considerations (Exceptions) A B C D E F G

Areas of Significance (enter categories from instructions)

Commerce

Community Development

Period of Significance

c. 1876-1940

Significant Dates

c. 1876

Cultural Affiliation N/A

Significant Person N/A

Architect/Builder unknown

State significance of property, and justify criteria, criteria considerations, and areas and periods of significance noted above.

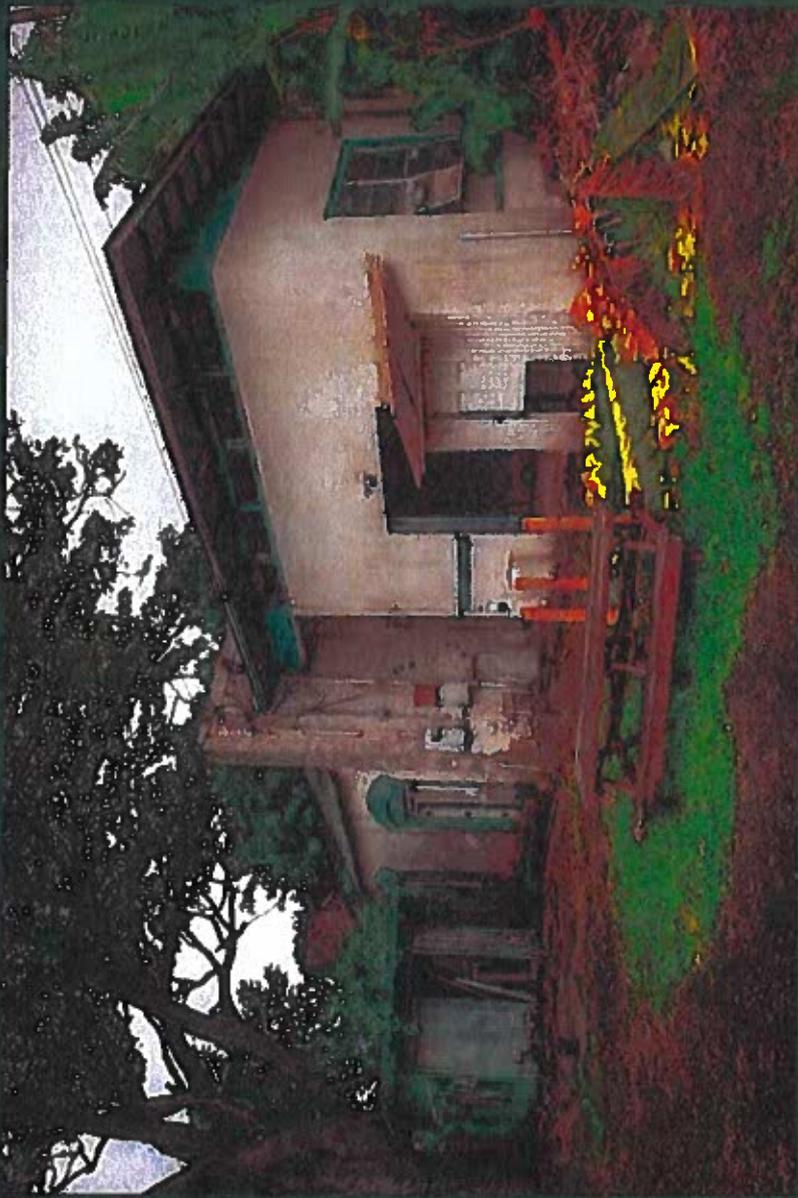
1. Rehabilitate - From Hana Highway



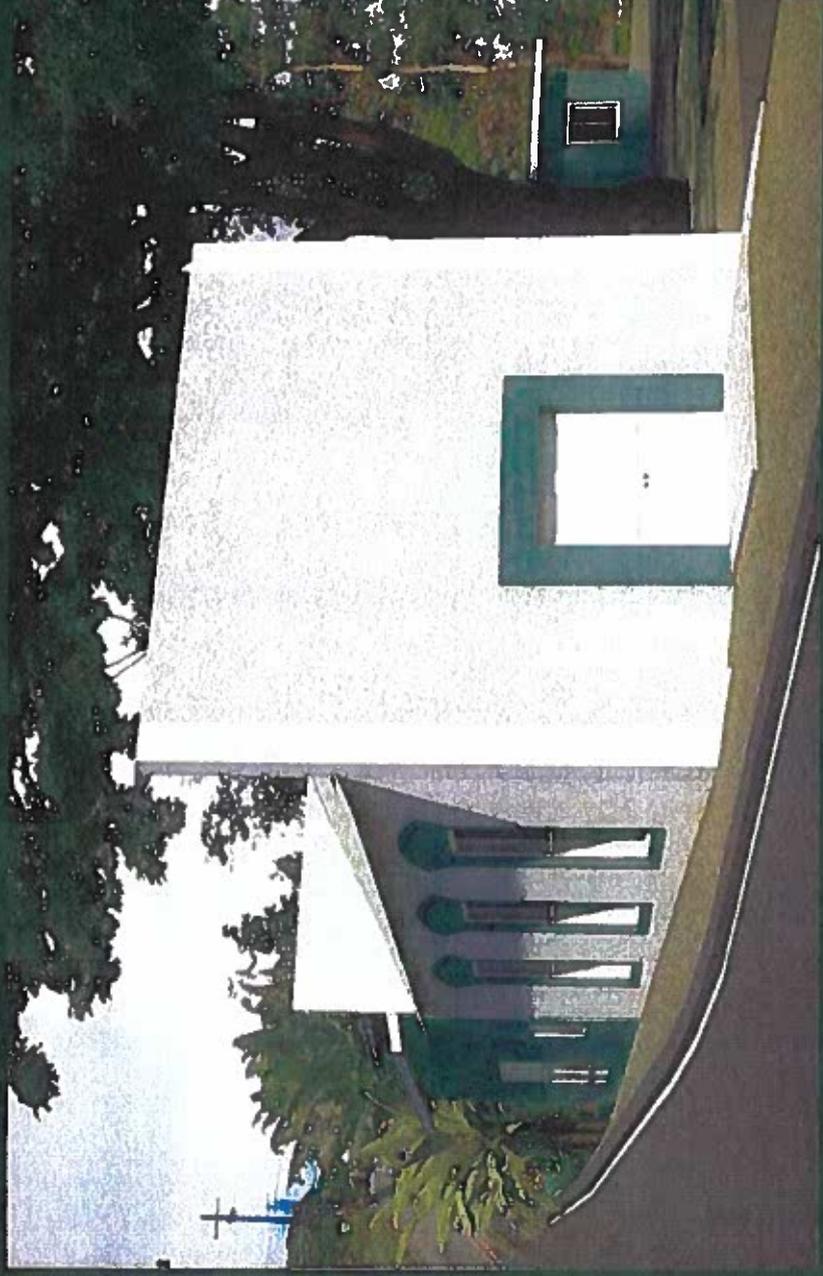
From Keawa Place



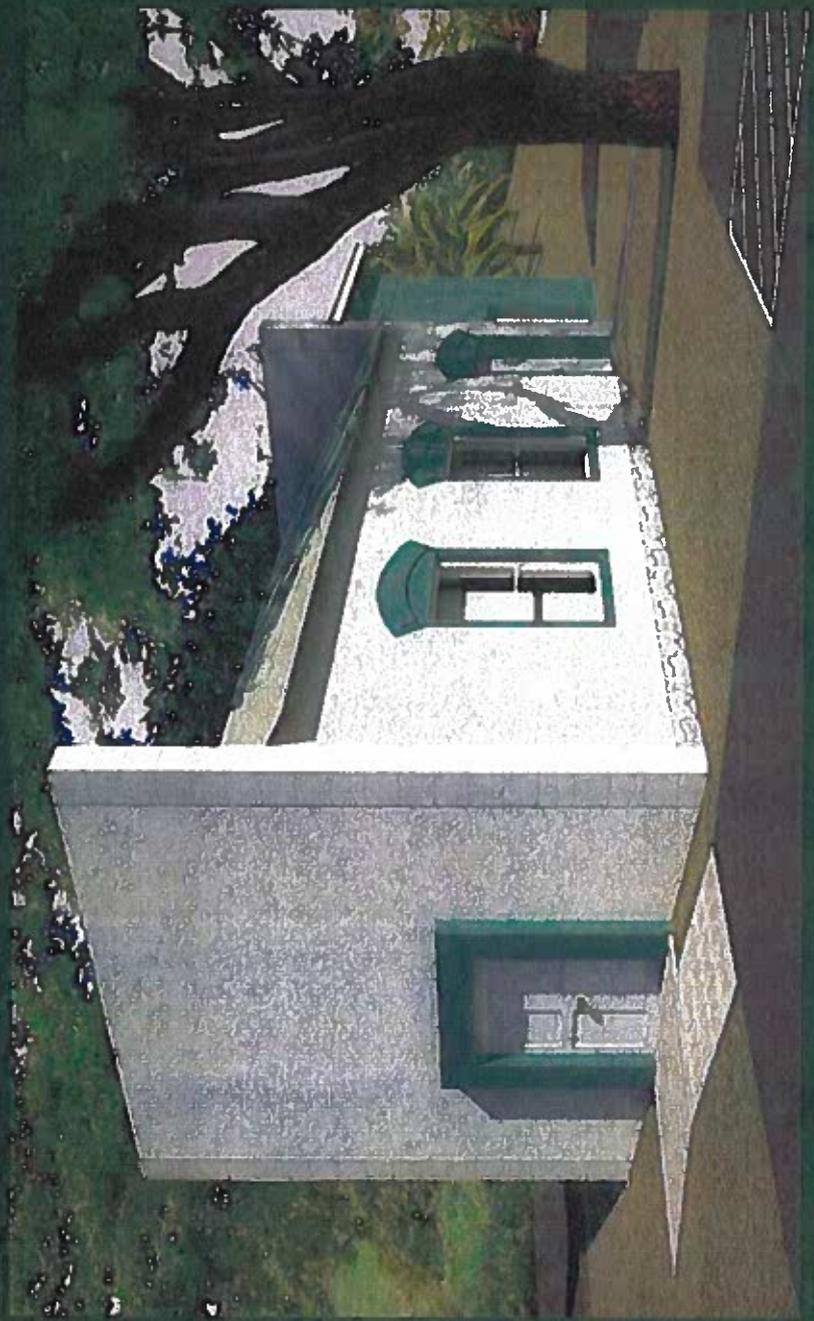
Back of the Building



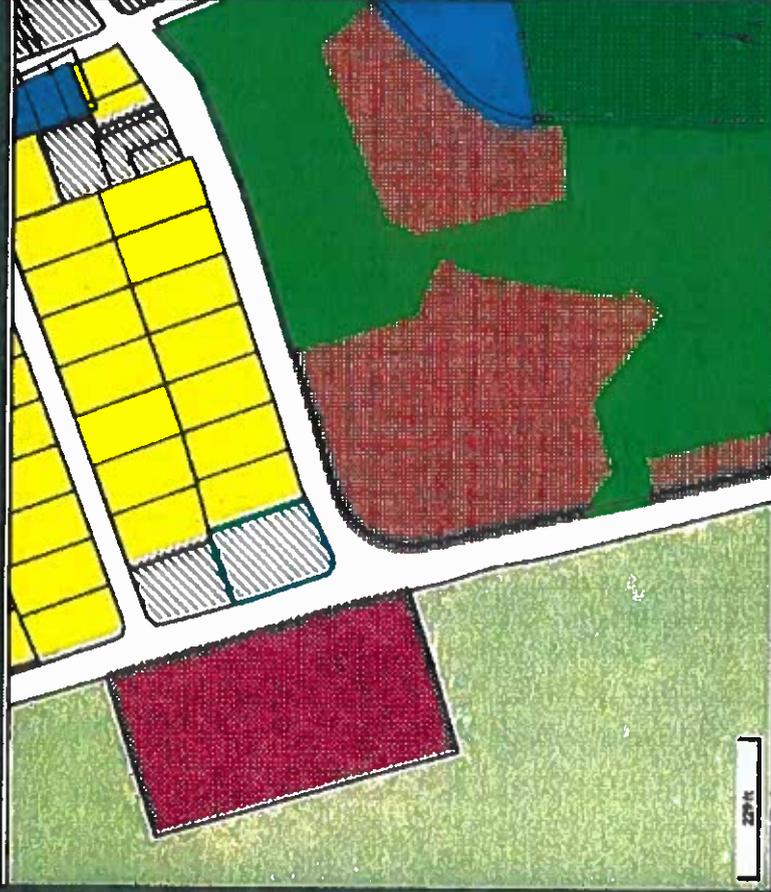
As rehabilitated – Hana Highway



As rehabilitated – Keawa Place



2. Why change the zoning?



- The property cannot be used at all with the current zoning

- "Urban Reserve," only allows a house, ohana, garage, farming, utilities

- "Reserve" means the zoning will change, but in accordance with community plan:

"Accommodating a reserve of lands in the state urban district for future development which is consistent with the community plan designation"

How did we get to Urban Reserve?

- Store was established about 1876 – a commercial use, long before zoning
- Also used as a laundry, another commercial use
- 1958, the Board of Supervisors adopted “Interim Zoning,” Ordinance 267
- Approx. 1996, County started a project to replace Interim, adopted Ord 2597 in 1997
- County and Council were uncomfortable with zoning all properties to the community plan designations, they wanted additional community input, so some were zone Urban Reserve
- That is why we are here – to get community input

What is consistent with the community plan?



Community Plan says it should be used for business

"This includes retail stores, offices, entertainment enterprises and related accessory uses."

Business Country Town (BCT)

19.15.010 - Purpose and intent

Examples of the country town concept are ... Makawao-Pukalani-Kula, Paia-Haiku, Hana, Lanai City, and Molokai.

It is the same as the Town Center and Hasegawa General Store

BUT the code allows 32 different types of uses, some should not be on this property, maybe nowhere in Hana

So we will be asking the County Council for "Conditional Zoning."

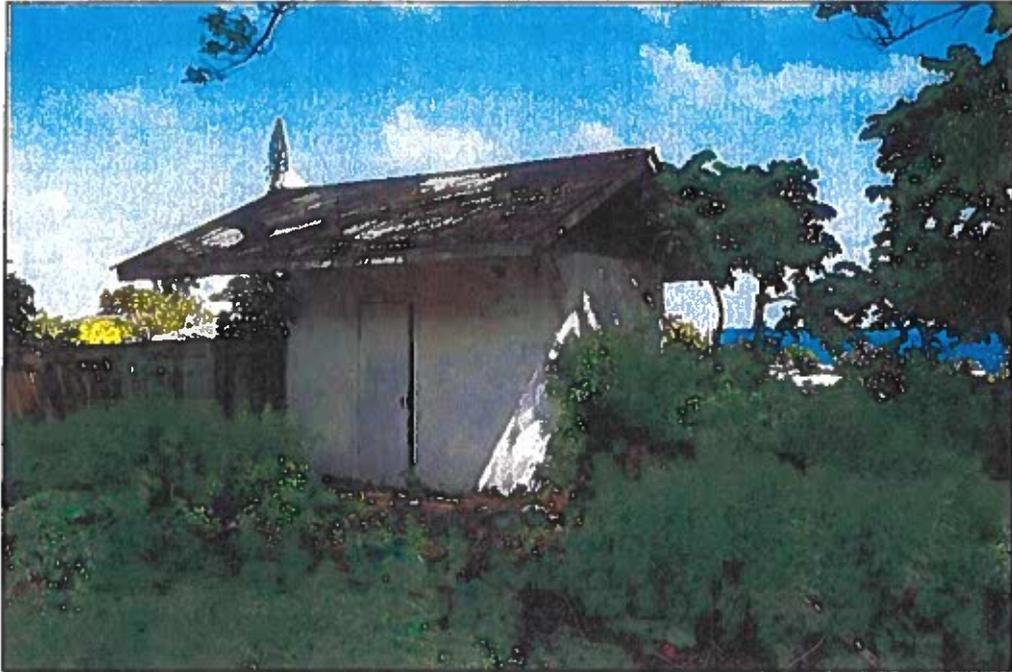


Photo 11, Old storage shed looking East

List of Uses

▶ What should NOT be allowed:

- Vacation rentals or B&Bs
- Dwelling units of any kind
- Automobile services (gas stations)
- Government offices
- Day care, schools
- Pet shops, animal hospitals
- Hardware stores
- Recycling centers
- Religious, benevolent, or philanthropic societies, public/quasi public
- Swap meets

What should be allowed?

(All in the context of keeping the historic building)

- Retail/general merchandising
- General Offices
- Libraries and museums
- Personal business (medical, dental, bank, hair-dressers, etc.)
- Warehouse facilities (for the use on the property and for hotel)
- Parking for the permitted use or for hotel

Allowed with conditions

- Amusement and recreational activities - *IF* determined to be compatible with historic building as determined by Planning Director (ex, dancing, music, theater, karaoke)
- Eating and drinking establishments – *IF* locally owned and operated, no corporate chains or franchises unless reviewed and approved by the Hana Advisory Committee and Maui Planning Commission
- Other similar businesses - *IF* approved by the Hana Advisory Committee and the Maui Planning Commission

Zoning Process

- Public input (where we are now)
- Draft an application
- Submit to Planning Department
- Review by Hana Advisory Committee
- Review by Maui Planning Commission
- Maui County Council

▶ Mahalo

Questions?

- Will Spence
- 808-280-2724
- mauiwill@gmail.com

From: Hana Arts
To: mauwill@gmail.com
Subject: Old Laundry - Arts Center
Date: Friday, October 8, 2021 5:52:24 PM

Aloha Will,

My name is Becky Lind and I am the Executive Director of Hana Arts, an arts/culture nonprofit organization located at Hana School. We would love to discuss the possible use of the laundromat as an Arts Center where we could house creative programs such as painting, sculpture, printmaking, weaving, lei making, pottery, and much more. Currently, we partner with Hana School and organize all arts and culture programs on campus including Theater, Dance, Music and Visual Arts. We have a ceramics studio on campus, as well as a mural program and are well connected to the artist community in Hana and on island. With an agreement with the property owner, we could turn the space into a place of learning, expression, and economic development. Please let me know when we could discuss this further. Thank you.

Mahalo,
Becky Lind
Hana Arts
www.hanaarts.com
(808)248-7569

From: Karen Davidson
To: mauwill@gmail.com
Subject: Hana old laundry building
Date: Friday, October 8, 2021 8:13:45 AM

Good morning Will, I'm sorry I missed the "blue jeans" meeting the other day but I heard you're thinking about what to do with the old laundry building in Hana. I've lived here for over 33 years and always thought of that old building as something special - it will take tons of work and \$\$\$! Some of the ideas people have had over the years - how about a café - what about a real estate office - a mahjong parlor and now there is a groundswell for an art center. Of course I'd be in favor of that as I was the founder of Hana arts over 30 years ago. Anything that might enrich and elevate the quality of life is most welcomed. If I could help with any sort of planning or ideas, please don't hesitate to reach out to me!

Aloha from Karen

From: [Hana Farmers Market](#)
To: msuren1@gmail.com
Cc: [Benson, Jon \(OGGAL\)](#); [Aina, Marli \(OGGAL\)](#); [Scott @ Hana Farmers Market](#)
Subject: Historic Laundry Building Renovation
Date: Tuesday, October 12, 2021 5:58:30 PM

Aloha Will,

Thank you for your presentation Wednesday on the rehabilitation of the old hotel laundry building. What a cool space!

I am requesting an opportunity to explore and conceptualize this space with the hotel management and yourself. I manage the Hana Farmers and Artists Market, which takes place on hotel property. The market has successfully connected our East Maui agricultural and artist community, with both its residents and visitors, while increasing the local food market and overall wellness of our East Maui community. Throughout the past 20 months of operation, we've seen tremendous growth in our community's interest in "shopping local," and its ability to support the self-sustenance and sustainability of our region. We are looking for more ways to continue supporting our local vendors, loyal shoppers and visitors of Hana for what we hope to be generations to come!

I think the renovated space would be a fabulous venue for an upscale, locally focused, natural foods grocer. It could also provide a place for local arts, local music and Hawaiian culture to flourish. This would be a for-profit operation.

Thank you for your time and consideration of this exciting potential project.

Mahalo nui loa,

Kari Hagedorn
808-495-5324

From: [Rebecca Buckley](#)
To: maunail@gmail.com
Subject: Old laundry building in Hana town
Date: Monday, October 11, 2021 10:05:52 AM

Dear Mr. Spence,

I am so excited to hear of your plans to rezone and rehabilitate the old laundry building in Hana town.

I am a 35 year resident of Hana. I operate a tropical flower farm on the airport road. I am a supporter of the arts in Hana and I think that the old laundry building would be the perfect place for an art center. We have so many talented and creative people in this community and the location of the laundry building is a perfect location for showcasing the art works of our residents and for providing a place for our children to explore all forms of artistic creation.

Sincerely,

Rebecca Buckley-Battaglia
135 Alalele Place
Hana, HI 96713
808-264-6351

From: [William Spence](#)
To: [Karen Davidson](#)
Subject: Re: Hana old laundry building
Date: Friday, October 8, 2021, 3:42:54 PM

Aloha Karen!

Thank you for the email, I really appreciate it. Yes, that building is really great, it could work for a whole lot of different things. We do have some limitations with a new septic system yet to be put in, and maybe some water and parking limitations. No decisions have been made yet but I know I certainly appreciate the community's ideas. I'm very happy to stay in touch as things move forward or you have input for me.

Will

On Fri, Oct 8, 2021, 8:13 AM Karen Davidson <davidson@maui.net> wrote:

Good morning Will-i'm sorry I missed the "blue jeans" meeting the other day but I heard you're thinking about what to do with the old laundry building in Hana. I've lived here for over 33 years and always thought of that old building as some thing special-it will take tons of work and \$\$\$ Some of ideas people have had over the years - how about a café - what about a real estate office - a mahjong parlor and now there is a groundswell for an art center. Of course I'd be in favor of that as I was the founder of Hana arts over 30 years ago. Anything that might enrich and elevate the quality of life is most welcomed. If I could help with any sort of planning or ideas please don't hesitate to reach out to me!
Aloha from Karen

From: Carolyn Quan
To: mauiwill@gmail.com
Cc: MauiOpenStudios
Subject: Hello Will! It's Carolyn Quan Producer of the Maui Open Studios Event
Date: Tuesday, October 12, 2021 4:52:31 PM

Dear Will,

I hope this email finds you well!

I received an email from Michael Kristiansen, one of our Maui Open Studio artists, in regards to the possible conversion of the historic Laundry building of the Hana Maui Resort into the Hana Art Center. He asked me if I would be able to offer my support of the project which is why I am writing to you.

As the Producer of the Annual Maui Open Studios Event for the past 11 years, I enthusiastically support the development of the building into an art center for the Hana art community and the art loving visitors to East Maui.

For the Maui Open Studios Event, we are beginning to bring back more participation of East Maui artists, as it had waned over the past few years. The development of a venue where art lovers can visit with the East Maui artists not only during the Maui Open Studio event, but throughout the year, would be a huge benefit to both the art community and collectors and art lovers who visit Hana and the surrounding areas. It will also inspire more artists to participate in events that will give them exposure to the public.

We continue to be grateful for your support of the Maui Open Studios and helping us get on our feet back in our humble beginnings 11 years ago! And we hope that our support of this Hana project can help to make it happen for art lovers and the abundance of talent that exists on Maui.

Venues and physical space for celebrating the arts is critical in keeping the inspiration alive for those who both live and visit the beautiful Hawaiian Islands.

Thank you Will! I appreciate your involvement and support of the arts and hope that all is well for you! Because of you Maui Open Studios has positively affected the lives of hundreds of Maui artists and thousands of visitors who have come out to our event over the past 11 years.

Sincerely,

· Carolyn Quan

Carolyn Quan
Founder/Producer · Maui Open Studios
Dream World Media
MauiOpenStudios@gmail.com
<http://MauiOpenStudios.com>
(415) 450-1307

ORDINANCE NO. _____

BILL NO. _____ (2022)

**A BILL FOR AN ORDINANCE TO CHANGE ZONING
FROM URBAN RESERVE TO B-CT COUNTRY TOWN BUSINESS DISTRICT
(CONDITIONAL ZONING) FOR PROPERTY SITUATED AT HANA, MAUI,
HAWAII, TAX MAP KEY (2) 1-4-013:001**

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. In accordance with Chapters 19.15 and 19.510, Maui County Code, a change in zoning from Interim District to B-CT Country Town Business District (conditional zoning) is granted for the certain real property situated at Hana, Maui, Hawaii, and identified for real property tax purposes as tax map key (2) 1-4-013:0001, containing an area of 21,711 square feet, more or less, and more particularly described in Exhibit "1," which is attached and incorporated into this ordinance, and on Land Zoning Map _____ in Exhibit "2", which is on file in the Office of the County Clerk of the County of Maui and incorporated into this ordinance, and subject to the conditions established in Exhibit "3."

SECTION 2. In accordance with Section 19.510.050, Maui County Code, the zoning granted by this ordinance is subject to the conditions established in Exhibit "3," which is incorporated into this ordinance, and the Unilateral Agreement and Declaration of Conditional Zoning, which is attached and incorporated into this ordinance as Exhibit "4."

SECTION 4. This ordinance takes effect upon its approval.

EXHIBIT 16

APPROVED AS TO FORM
AND LEGALITY:

Department of the Corporation
Counsel County of Maui

EXHIBIT "1"

LAND DESCRIPTION

Lot 1

Of

HANA RANCH HOUSELOTS SUBDIVISION (FILE PLAN 866)

All of that certain parcel of land, being Lot 1 of HANA RANCH HOUSELOTS SUBDIVISION (FILE PLAN 866) being portions of Grant 883 to G.P. Judd and Royal Patent 3108, Land Commission award 419:1 to Kawainui, situated on easterly side of Hana Highway, Wananalua, Hana, Island and county of Maui, State of Hawaii and being more particularly described as follows:

Beginning at the northwesterly corner of this parcel of land on the easterly boundary of Hana Highway, said corner also being the southwest corner of Lot 9 of "HANA RANCH HOUSELOTS SUBDIVISION" (FILE PLAN 866), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAUIKI", being:

382.20 feet North
2122.77 feet West

and running by azimuths measured clockwise from true South:

- | | | | |
|----|---|-------------|--|
| 1. | 250°30' | 107.91 feet | along the southerly line of Lot 9 of "HANA RANCH HOUSELOTS SUBDIVISION" to the Southeasterly corner of lot 10; thence, |
| 2. | 256°00' | 16.77 feet | along Lot 10 to the northwest corner of Lot 2 of "HANA RANCH HOUSELOTS SUBDIVISION"; thence, |
| 3. | 340°30' | 162.34 feet | along the westerly line of Lot 2 of "HANA RANCH HOUSELOTS SUBDIVISION" to a point on the northerly boundary line of Keawa Place; thence, |
| 4. | 64°30' | 107.94 feet | along the northerly boundary line of Keawa place; thence, |
| 5. | along same, along a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being: | | |
| | 113°04'30" | 29.99 feet | To a point on the easterly boundary right-of-way of Hana Highway; thence, |
| 6. | 161°39' | 122.86 feet | along the easterly boundary of Hana Highway; thence, |

7. 164°44' 32.19 feet

along same to the point of beginning and containing 21,711 square feet of land more or less.

Prepared by: Maui Land Surveyors LLC

Date: September 1, 2021

This work was prepared by me or under my direct supervision

Allen Hale
Licensed Professional Land Surveyor
State of Hawai'i Certification Number LS18574
License Expiration Date: April 30, 2022



EXHIBIT "2"

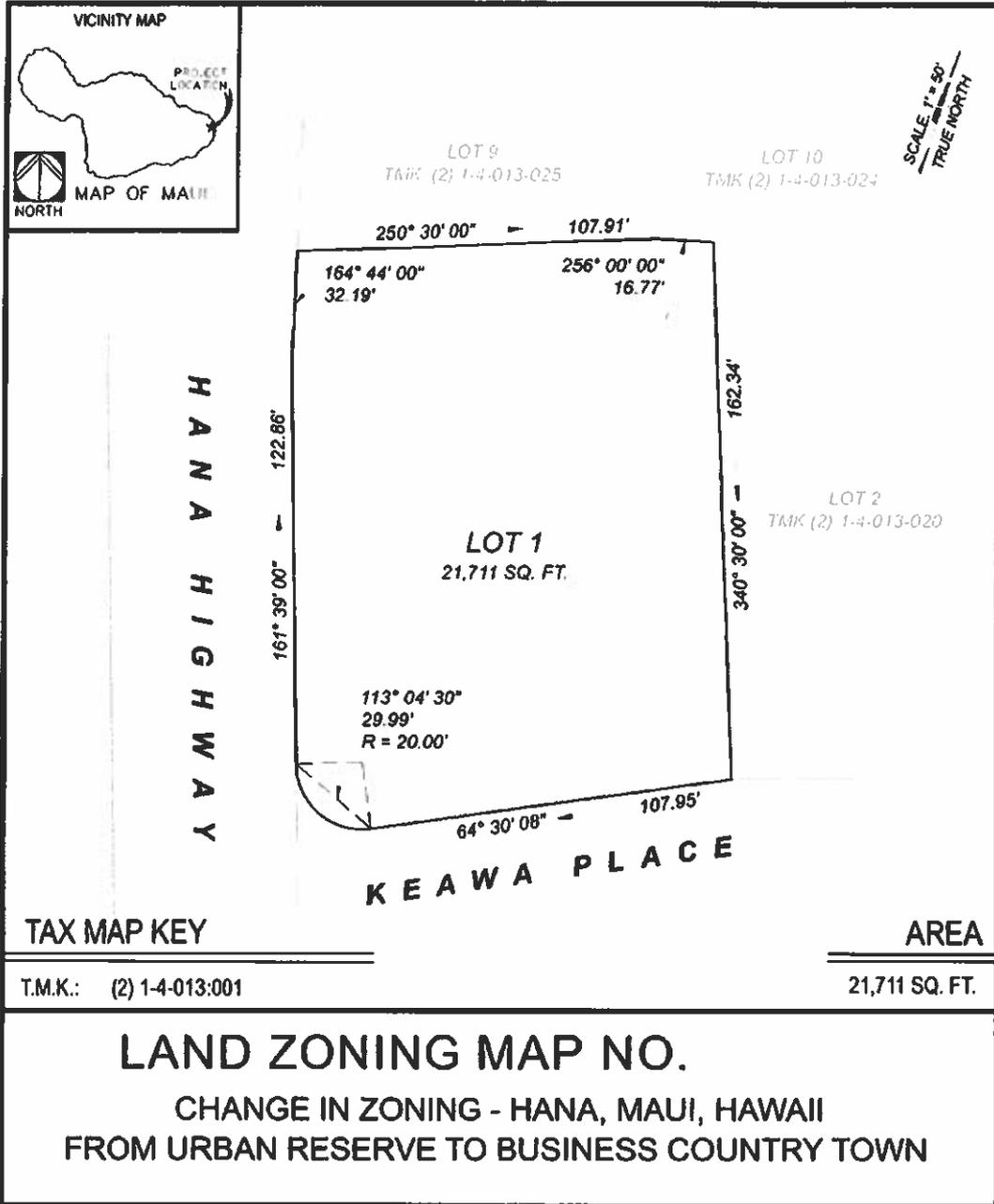


EXHIBIT "3"

CONDITIONS OF ZONING

1. That the permitted uses shall be limited to those outlined in the following table:

Permitted Uses	Criteria or limitations
Amusement and recreational activities	If compatible with the historic character of the site and conducted wholly within a completely enclosed building
Art and music studios	
Eating and drinking establishments that are locally owned and operated	Corporate chains or franchises are subject to review and approval by the appropriate planning commission
General merchandising	
General office	
Hardware, feed, and garden stores	Provided that feed and fertilizer are kept within an enclosed building
Libraries	
Museums	
Parking lots	If associated with another permitted use on the property or as allowed by an off-site parking permit
Personal and business services	Printing establishments shall be conducted within an enclosed building
Warehouse facilities associated with a permitted use within the District or with the primary hotel within the Urban District in Hana	
Other similar businesses or commercial enterprises or activities that are not detrimental to the welfare of the surrounding area or to the historic character of the site	Provided that such uses shall be approved by the appropriate planning commission as conforming to the intent of this article

**HANA ADVISORY COMMITTEE
TO THE MAUI PLANNING COMMISSION
REGULAR MEETING
JUNE 19, 2023**

A. CALL TO ORDER AND ROLL CALL

The regular meeting of the Hana Advisory Committee to the Maui Planning Commission was called to order by Chairperson Ward Mardfin, at approximately 4:35 p.m., Monday, June 19, 2023, online via BlueJeans videoconferencing platform Meeting ID: 483974109, and at the Planning Conference Room, 250 South High Street, Wailuku, Maui, Hawaii 96793, and at the Hana Courthouse, 4974 Uakea Road, Hana, Maui, Hawaii 96713.

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

Ms. Desjardins: ...(inaudible)...I guess at this point the problem is we don't have a Chair or Vice-Chair?

Ms. Cua: Yes.

Ms. Desjardins: Okay. So let's—if you don't mind, let me just jump in real quick and start out by just saying that at this point, we're going to call the meeting to order and then Ann, if you don't mind, would you just take a roll call um and you can just have folks that are present just on the record verbally say that they're present and let us know where you're broadcasting from and just whether or not there's anybody present with you in the immediate vicinity of where you're sitting. That would be a great start and then we can move ...

Chair Mardfin: Mimi...

Ms. Cua: Sure. Thank you.

Ms. Desjardins: into the ...

Chair Mardfin: Mimi...

Ms. Cua: Is there somebody else trying to talk? Okay, um.

Mr. Smith: I think Ward had a question real quickly.

Ms. Cua: Ward, you have a question?

Chair Mardfin: Mine isn't a question. I'm the outgoing Chair and so if you want me to call roll ...

Ms. Cua: Oh.

Chair Mardfin: I could do that until we get down to the point where we elect new Chairs.

Ms. Desjardins: That sounds great; go for it.

Chair Mardfin: Okay.

Ms. Desjardins: Thanks, Ward.

Ms. Cua: Thanks, Ward.

Chair Mardfin: I've got, my clock says 4:35 p.m., ah on June 19, 2023. People present, I will call off: Becky Lind is outgoing Vice-Chair.

Ms. Lind: Aloha, yes Becky Lind's present. I am coming from Makawao, Hawaii and there's only one other person in the room and that would be Skyler Green.

Chair Mardfin: Clayton Carvalho, Jr.

Mr. Carvalho: Ah, present, at home 416 Uhalena Road in Hana and no one else is in the room.

Chair Mardfin: Scott Crawford. I do not see. Mary Ann Kahana.

Ms. Kahana: Present, chiming in from Hamoa in Hana. At home, no one is in the room.

Chair Mardfin: Thank you. Matt Keiley. I don't see him. He had told me earlier in the week that he thought--when he'd gotten on, he was told the Board always meets on Thursdays and now it's a Monday and he's having trouble I think. But, we'll see what happens.

Ms. Kim: Excuse me, Ward, can you hear me?

(Unknown): I thought I had seen him in the Planning Office.

Mr. Carvalho: Oh no, no we can hear them—it's very faint. He's in the window and in the Guest window.

Mr. Keiley: Can you hear me now?

Mr. Carvalho: Yes, he is present.

Chair Mardfin: Matt? Okay, I don't see your face. Can your face go on?

Mr. Keiley: I'm waving.

Chair Mardfin: I understand that. Do you have a camera on your speaker.

Ms. Biniaris: He's right next to me. He's right here.

Chair Mardfin: Who said that.

Mr. Smith: Alik, just wave your hand.

Ms. Biniaris: (Waved her hand.)

Mr. Smith: Thank you.

Mr. Carvalho: Yeah, it's the window with two.

Mr. Keiley: (Waved his hand.)

Mr. Carvalho: Yep.

Mr. Smith: Gentleman with the blue shirt on.

Chair Mardfin: It says Jon Benson?

Mr. Smith: No, that's...

Chair Mardfin: Oh, I see, where it says Guest.

Mr. Carvalho: Yeah.

Chair Mardfin: Good, thank you for being here. Dean Wariner. I don't see Dean.

Ms. Desjardins: Mr. Wariner is not officially on board yet, he still has a couple of things outstanding so we can pass Mr. Wariner for now.

Chair Mardfin: He's been on. What do you mean he's not yet on.

Ms. Desjardins: He still needs to um file his Financial Disclosure Statement.

Chair Mardfin: Oh, that may be, but he's been on meetings for the past three or four times.

Ms. Desjardins: Right, but he's not a member of the commission—committee at this point without having the FDS done. He can't participate that's what I mean.

Chair Mardfin: Then, he's been decommissioned.

Ms. Desjardins: No, he's just on hold. Don't worry, he's not been decommissioned.

Chair Mardfin: Okay. And so Becky, Clayton, Mary Ann, Matt; I'm the fifth one, Ward Mardfin, and I'm the outgoing Chair I am calling from my home in Wakiu, 4196 Hana Highway, um and there's no one else in the room with me. So that's five people and that gives us a quorum I believe. Okay, so I hereby call the meeting to order.

B. INTRODUCTION OF NEW COMMITTEE MEMBER – WILLIAM MATTHEW KEILEY

Mr. Mardfin: Um, we are Item B. Introduction of New Committee Member – Matt Keiley. Ah Matt, do you want to introduce yourself?

Mr. Keiley: My name's Matt Keiley. ... (inaudible)... environmental management.

Mr. Mardfin: I can barely hear you. Okay.

Ms. Desjardins: Sorry, you need to put that microphone right up to your mouth Mr. Keiley otherwise no one can hear you. Thank you.

Mr. Keiley: Can you hear me now?

Mr. Carvalho: Yeah. Yes.

Mr. Keiley: I am also a farmer ... inaudible... for 30 plus years, got three children. All my kids are grown.

Mr. Mardfin: Okay, thank you very much. And that completes our quorum of five.

C. ELECTION OF NEW OFFICERS FOR THE 2023-2024 BOARD YEAR – CHAIR AND VICE-CHAIR

Mr. Mardfin: We are now to Elect Officers for the 2023 – 2024 Board Year and first we need to elect the Chair and then we need to elect the Vice-Chair. Are there any nominations for Chair? I'm not hearing anybody.

Mr. Keiley: Ward, you want to do this again?

Mr. Mardfin: Okay.

Mr. Keiley: I nominate you, Ward.

Mr. Carvalho: Can the Chair and Vice-Chair—are they allowed to run for the same office or do they have to um or are they not allowed to run for the same position?

Ms. Desjardins: They are allowed to be re-elected if that's the will of the body. Um I believe I heard from Mr. Keiley if I'm saying that correctly that he was moving to recommend that Ward be um Chair and so the question would be is there a second for that nomination, assuming Ward is not going to protest too heavily against that nomination.

Mr. Mardfin: I will not, but is there somebody that would like to second that.

Mr. Carvalho: I'll second that nomination if you're interested Doctor Mardfin.

It was moved by Committee Member William Matthew Keiley, seconded by Committee Member Clayton Carvalho, Jr., then

VOTED: Approval of Ward Mardfin as Chair.

(Assenting: C. Carvalho, Jr.; M. Kahana; W. Keiley; B. Lind;
W. Mardfin)
(Arrived Later: S. Crawford)
(Excused/Absent: D. Wariner)

Mr. Mardfin: Thank you, Clayton. Um are there anybody else that would like to be nominated? Not hearing anybody. I'll hereby close nominations. All in favor of me for President for—oh Chair, excuse me, for the 2023-2024 Board Year.

Mr. Carvalho: Aye

Ms. Lind: Aye

Ms. Kahana: Aye

Mr. Keiley: Aye

Chair Mardfin: 1, 2, 3 (Hand up), 4, 5. That seems to be everybody here everybody present, so I guess I got appointed the--elected unanimously. We now need to elect a Vice-Chair. Would somebody like to make a nomination?

Ms. Kahana: I'd like to nominate ah Scott Crawford but he's not here. So if willing, I would nominate Scott Crawford.

Chair Mardfin: To the best of my knowledge, that doesn't prevent him from being elected. In fact you're kind of foolish if you miss a meeting because you're likely to get elected. We all know how that goes. Um if Scott Crawford gets elected, I'm assuming, well I shouldn't assume—he may very well accept it. Is there anybody—cause he's been Chair in the past. Is there anybody else that would like to either nominate themselves or nominate someone else for Vice-Chair?

Mr. Carvalho: Yeah, just to confirm Scott's been Chair and Vice-Chair ah previous year.

Chair Mardfin: Yeah. That doesn't mean he's still willing to do it. But...

Mr. Carvalho: Right.

Chair Mardfin: Given—is there anybody else that would like to be--nominate themselves or somebody else? Um, not seeing anybody.

Mr. Carvalho: Would you be interested in running...

Chair Mardfin: I'm sorry?

Mr. Carvalho: I was ah Doctor Mardfin I--asking if Becky was interested in another term.

Chair Mardfin: Becky, he's asking if you would like to be ah elected again to Vice-Chair?

Ms. Lind: Ah, sure, yeah—if that's what the body, um, if that's what the Committee wishes, I'm down to take on another term. It's um, although I think Scott would also be a great choice, I would, yeah, if—are you nominating me again? Is that what's happening?

Mr. Carvalho: I guess it's more for posterity just to see if the previous Vice-Chair was interested in another term.

Chair Mardfin: And she said yes. She seems to have said yes.

Mr. Keiley: Ward, I'll elect Becky then.

Chair Mardfin: Okay. Um, so Matt you'll nominate her and Clayton will you second?

Mr. Carvalho: Ah I'll second but does that leave it to if we are um—if Scott's not here to accept the nomination, do we...

Chair Mardfin: I—my view would be at this point, there are two people nominated and seconded, we can have an election and the one with the higher votes will win. And since we have five people here, there's bound to be a higher—well that's not quite true, you could abstain. I'm going to close the nominations. Um there are two people been nominated and seconded. One has been Scott Crawford—all in favor of Scott Crawford being the Vice-Chair, please raise your hand and signify by saying aye.

Mr. Carvalho: Aye.

Chair Mardfin: One – I count one. All in favor of Becky being Vice-Chair.

Ms. Kahana: (Thumbs up)

Chair Mardfin: Mary Ann.

Mr. Keiley: (Hand up)

Chair Mardfin: Matt. Becky, you'd better vote for yourself.

Ms. Lind: (Hand up)

Chair Mardfin: Three—that's three and I will also vote for Becky so that makes four, and we have--we don't quite have a majority.

Ms. Desjardins: Would you take a roll call um Chair just because it's kind of hard to tell what folks are voting—could you do that please.

Chair Mardfin: Yes. So let's do it that way. I will call off names, tell me who you vote for and let's hope one of them has at least four. Um, Becky. You're first on my list. You vote for yourself?

Ms. Lind: I vote for myself. Thank you.

Chair Mardfin: Thank you. Clayton Carvalho.

Mr. Carvalho: Um, I will vote for Becky.

Chair Mardfin: That's two, thank you. Ah Scott's not here. Mary Ann Kahana.

Ms. Kahana: I vote for Becky.

Chair Mardfin: That's three. Matt Keiley.

Mr. Keiley: Becky.

It was moved by Committee Member Mary Ann Kahana to nominate Scott Crawford as Vice-Chair, seconded by Committee Member Clayton Carvalho, Jr., and

It was moved by Committee Member William Matthew Keiley to nominate Becky Lind as Vice-Chair, seconded by Committee Member Clayton Carvalho, Jr., then

VOTED: Approval of Becky Lind as Vice-Chair.

(Assenting: C. Carvalho, Jr., M. Kahana; W. Keiley; B. Lind;
W. Mardfin)

(Arrived Later: S. Crawford)

(Excused/Absent): D. Wariner)

Chair Mardfin: That's four and just so that we have a clear majority, I'll vote for Becky. So that makes five. Becky, congratulations you are the Vice-Chair for ah the um, give me a second—2023-2024 ah Officers for the Hana Advisory Committee to the Maui Planning Commission.

Mr. Carvalho: Oh, just a note in the chat room that Scott will be joining us.

Ms. Lind: I just saw his name popped up, he just joined. Hi Scott.

Mr. Crawford: Hi, I'm here. I apologize. I apologize. I'm in my car so I'm turning on my camera right now, but I will be able to in just a few moments.

Chair Mardfin: I have bad news for you. You just got defeated for Vice-Chair. Ah Becky has been elected um Vice-Chair again for this year and I got elected Chair again for this year.

Mr. Crawford: Oh dang.

Chair Mardfin: Yeah, shucky darn.

Mr. Crawford: Congratulations Becky, well deserved.

Chair Mardfin: Yes.

Ms. Lind: Thank you, Scott.

D. PUBLIC HEARING – (CHANGED TO ITEM D)

Chair Mardfin: Okay. Now I believe we're having an orientation workshop. We're up to Item D. Orientation Workshop with somebody's gonna orient us. Is that going to be you, Ann?

Ms. Desjardins: Chair, this is Mimi.

Chair Mardfin: Mimi, you're going to give the orientation?

Ms. Desjardins: Um, no I had a request from the Planning Department to possibly consider—if you folks would consider going ahead and doing your public hearing first. Although it's after the Orientations, if the members—if you just have a consensus then you can move E up before and then ask for public testimony prior to that or right after the presentation.

Chair Mardfin: Okay. Does anybody have any notion as to how long the Orientation's going to be this year?

Ms. Cua: I can comment on that. The Planning Department's portion, I would say maybe it's going to be around 50 minutes. Danny Dias will be doing that. It's not very long and then I'm not sure how long Mimi's presentation is going to be and then I did want to mention that um when we do the public hearing matter today, um we will discuss the regulations that govern those permits a little bit just to kind of orient you a little bit on that.

Chair Mardfin: Okay, thank you, Ann. Okay.

Mr. Crawford: Um Chair...

Chair Mardfin: Yes, Scott.

Mr. Crawford: ...inaudible...and so please let me know if we ah—if we get to a point where you need to have my camera on let me know and I will make sure and turn it on.

Chair Mardfin: Okay. I don't think we need it just yet. Would you be willing to move that we move the Orientation Workshop out of order and do the Public Hearing prior to the Orientation Workshop?

Mr. Crawford: Yeah, I mean it sounded like Mimi just said we just need consensus and so I have no objection to that. If you need a motion, I can make a motion but I have no objections doing that.

As there were no objections from the Committee Members, Agenda Item D. Orientation Workshop was moved to Agenda Item E. instead of Item D. and Agenda Item D. will be the Public Hearing with action to be taken after the public hearing.

- 1. MR. WILLIAM SPENCE on behalf of MANI HANA RESORT (DE), LLC is requesting a Change of Zoning for the Hana Store Storage Building (Old Laundry Building). The project is located on approximately 21,711 square feet of land at 9 Keawa Place, Hana, Island of Maui at TMK: (2) 1-4-013:001 (ZPA2022-00001) (K. Wollenhaupt and A. Biniaris).**

Chair Mardfin: Does anybody have any strong objection? Or even a weak objection? No, then we are moving the Orientation Workshop to Item E instead of Item D, and Item D will be the Public Hearing with action to be taken after the public hearing. It's going to be Mr. Will Spence of Mani Hana Resort (DE), LLC is requesting a Change of Zoning for the Hana Store Storage Building, what's commonly known in town as the Old Laundry Building and who is going to be giving the presentation for them.

Mr. Carvalho: Um, Chair...

Chair Mardfin: Is Will here?

Mr. Carvalho: Will testimony be after the presentation or before the presentation?

Chair Mardfin: We normally let them do whichever they want. Will, do you want to do it? What order do you want to do it in? Will, you're silent. I can see your face, I can't hear you.

Mr. Carvalho: He's not on mute, his mic is on.

Chair Mardfin: I know he's not on mute, but I still can't hear him.

Mr. Crawford: Reminds me of an old Pink Floyd's song.

Mr. Conrad: I know Will has a whole presentation to make. I know that.

Chair Mardfin: Okay.

Mr. Yoshida: I guess Chair, I'm Clayton Yoshida--um I'm wondering how many voting members do we have for this item because I don't know if some of the members would have to recuse themselves if we don't have four voting members then this Advisory Committee cannot take an action.

Chair Mardfin: Mr. Yoshida, I don't know either but we have six people physically present. 1, 2, we have six people physically present. But I don't know how many feel they have to recuse.

Mr. Carvalho: Um, Chair, I'm going to recuse myself um from the vote. I'll be listening to the presentation.

Chair Mardfin: Well, me, Matt, Scott, Mary Ann...

Mr. Keiley: Becky, Becky.

Ms. Lind: Yes?

Chair Mardfin: Becky and Clayton is six, so without Clayton we're down to five. Mr. Yoshida, is that sufficient?

Mr. Yoshida: Ah if Scott is here, then I think that's sufficient.

Chair Mardfin: Scott is here.

Mr. Spence: Hey Mr. Chairman, how's that?

Mr. Carvalho: (Thumbs up)

Chair Mardfin: Oh yes, Will. Thank you, oh it's so nice to hear your voice again after all these years.

Mr. Spence: Yes, I know it's been quite awhile.

Chair Mardfin: And you're getting through. For the rest of you on the Committee, I served for a few years on the Maui Planning Commission and at least for some of that Mr. Spence was the Director of Planning. So that's why we may have a little short talk between us.

Mr. Spence: Very short, but sure.

Chair Mardfin: Okay, Will, are you ready to--it looks like we have one person – Clayton Carvalho is abstaining himself and the other five are active and present um and there's one more person who hasn't sent in his paperwork so he's not yet on. So this is the best we're going to get today. Take it off.

Mr. Spence: Okay and Mr. Chairman you previously asked if um I want to make the presentation first or if testimony comes first. My personal preference is testimony first and then perhaps I can address you know the testimony um, in my presentation.

Chair Mardfin: Okay. Is there anybody that would like to—we have a public hearing, um—would anybody like to give public testimony.

Ms. Kim: Chair I have one person on the list Bill Fuhrman. Is he present?

Chair Mardfin: Is Bill Fuhrman present?

Mr. Carvalho: He should be in Aunty Mavis' um window.

Ms. Oliveira Medeiros: He's here. Hold on, one second.

Chair Mardfin: Okay. Mapuana Cook is here also. But we'll get with Bill Fuhrman first.

Mr. Fuhrman: Tell me when you're ready.

Chair Mardfin: I'm ready. Just--please introduce yourself and begin testimony and if they do it the way they normally do it, they're going to cut you off in about three minutes.

Mr. Fuhrman: Whatever Ward, okay I'm Bill Fuhrman. I'm from Hana. My residency is at 63 Keanini. When this notice came out the first time a year or so ago I received a notice that what was going to happen with the zoning. Ah, this recent one I did not receive a notice. My wife who has property on 31 Keawa which is two properties away from the laundry, she received notice which is why I'm here. Um, the issue is not the zoning, the issue is the conditions gonna be put on the zoning. I served on the Hana Advisory Committee that created the Hana Community Plan 30 something years ago and that plan is still in effect. Our discussion when we looked at that property was no problem with the laundry being maintained as a historic site, the problem would be what kind of commercial activities would be allowed that we felt that was not a discussion that we could deal with at the community plan level but we would deal with it when it became a zoning—came up for zoning and make it a condition of zoning. Um, my issue is more about the traffic and the pedestrian traffic that I see coming out of a hotel whether they are a guest there for lunch or breakfast or whether a hotel guest, they would not in all likelihood go to the parking lot to get their car to drive 150 feet to the laundry. They would walk come down. But there's no real safe pedestrian way to get across to that laundry site, especially if they come down Keawa on the curve and then make the crossing, their backs are blind to the oncoming traffic. And that's my issue cause I walk from work a lot of times and because I got good ears, I can hear a car coming and I make sure I'm away from the road so that I don't become a bumper sticker. But um I don't

think tourists are so cognizant of what's around them; they just walk around and a lot of times they leave their brains on vacation too and don't pay attention to traffic and all that. But Will Spence, that's going to be an issue that I think you need to address in your planning; how to make it safe for pedestrians. Again, this is Hana, no stop lights, no traffic lights alright but the best way possible to make sure that it's safe for pedestrians as they want to go to that laundry site which I understand that you want to convert into an art gallery. So it will be an attraction to the visitor that comes to Hana as well as to those who are visiting at the hotel or staying at the hotel. So two issues that one the zoning be conditioned for the proposed use, that Business Country Town don't let it evolve into a bar ten years from now or some other permitted use and that the community then won't have any chance to react to it. If it's condition of zoning, I would believe then that's up to Clayton and the rest of the Planning Department that that condition to be amended would have to come back to a public hearing if they want to change the use of the property. And this is not something against the Mani brothers or anybody else but I've been around so long property owners of the hotel change every ten to 15-20 years. So you know what they want now is good while they're around and then when the new people come in...

Ms. Kim: Three minutes.

Mr. Fuhrmann: Yeah I hear you. So again that's pretty much my two points. Making sure the conditions are clear; any changes in those conditions need to come back to a public hearing before the Hana people. Ah this way you guys do electronic means, really baffles me. I'm not used to all this stuff talking to one computer and that you address the issue of pedestrian safety for those who want to walk and get to the laundry site or to the art gallery. Thank you.

Chair Mardfin: Thank you, Bill. Do any ah Board—Committee members have any questions for Bill? Bill, I have a question for you.

Mr. Fuhrmann: Yeah.

Chair Mardfin: My reading of this thing is, it hasn't been decided exactly what's going to happen to the property. Ah you implied it would be ah um art gallery of some sort and I could see that as one of several options, but I didn't—my reading of it was that nothing was very firm about how it would be used in the future.

Mr. Fuhrmann: Then it needs to be. Because again Will Spence while giving the presentation of what they plan to do with it, nobody really knows. It's just what we been hearing. And basically because I'm a worker at the hotel and they're saying the art gallery is going to move into the old laundry site, then you know guys like Clayton who work on that property might know more than most of us as to what the proposed uses are. But ah that's all I ever heard that they plan to move the art gallery down there.

Chair Mardfin: Okay, I—I missed where in the record it says that. But thank you for answering my question. Do any Board members have any question—Becky?

Ms. Lind: Yeah, um thank you so much for your testimony. I was just wondering um if there was like more clear um crosswalk and/or sidewalk, is that ah--would that um alleviate your stress. Do you think that would kind of solve the issue?

Mr. Fuhrmann: It's more an awareness by the pedestrian of this traffic than to create something where the pedestrian's absolutely safe. Ah they just walk around like some of the mongoose and everything else. They just cross when they cross and not pay attention but I can see that as an issue, especially on that curve. You're familiar with it Becky, as you come down right around that curve, it's a kind of blind curve as to who is crossing Keawa to get to the other side of the road. And if the driver's not paying attention, and the pedestrians not paying attention worse yet if they got kids and they're running all over the place, it'll be a hazard. But again, no traffic lights please.

Ms. Lind: Thank you.

Chair Mardfin: Are you primarily concerned about um pedestrian traffic crossing the street?

Mr. Fuhrmann: Yeah. Yes.

Chair Mardfin: From the hotel to the um laundry room?

Mr. Fuhrmann: Yeah because the easiest crossing is right below the curve to get across to that property. You wouldn't cross higher up which is the wider area because now you're bucking two traffics, the one running Wakiu side from Hana town on the mauka road and then the traffic that's turning down Keawa or coming up Keawa. So you know you're right at a major intersection—major in terms of Hana traffic in Hana.

Chair Mardfin: (Laughing) Yeah, we know this means two cars, but that's okay—in Hana terms, that's what you have to be careful of.

Mr. Fuhrmann: And Mary Ann should know. She used to walk that road about traffic coming down that road and she does her walk during the day or used to do her walk in the morning. But this will be worse with tourist who are not cognizant of what's going on and just la-de-da walk across the road to see what's happening at the art gallery or the laundry room.

Chair Mardfin: Okay, thank you very much. Are there any other questions for Bill?

Ms. Kahana: I don't have a question, but yeah I do go down Hana Bay. I run from Hamoa and yeah there is a blind bend. What Uncle is talking about that intersection is not safe right now and this is without having the art gallery across the street.

Chair Mardfin: Thank you. Would you like to say anything else about at this point? No? Okay, thank you very much Bill. Mavis, do you have somebody else over there that wants to talk?

Ms. Oliveira Medeiros: Just myself. Um, I wanted to--can I testify?

Chair Mardfin: Yes, you may.

Ms. Oliveira Medeiros: Wait, let me turn this off.

Chair Mardfin: Please announce yourself.

Ms. Oliveira Medeiros: Hi Aloha, my name is Mavis Oliveira Medeiros and I was just going over the paperwork for this meeting and I was noticing that they keep—there were talk or mention about how the roads are not a problem, the ingress/egress is not a problem, and I just wanted to point out--it also said that the road is 20 feet wide on the Hana Highway side and it's also 20 feet wide on Keawa Road side and I don't think that's true. I think the Hana Highway is actually way narrower than Keawa—Keawa Road or Place. Um because it's really wide on Keawa but when you pass the laundromat on Hana Highway, you have to really squeeze to get through cause there's a post on the left side coming from Hamoa way, yeah. And so if there's a car coming down the hill you know you gotta yield to the car or they have to yield for you and I just wondered why that wasn't addressed cause there's a pole right there by the wall and all they have to do is probably put the pole inside of the wall, that would be nice. And then another thing, everytime I'm driving past there cause I drive there everyday to come to work--if anybody is walking on that road, it is super dangerous because there's no sidewalk and it is very narrow as many of you guys probably know.

And then one thing I was just talking to Carolyn about is, I thought that there used to be a big gas tank right above Johnny and Lucy Kiambao's house right like right above their driveway. There was a huge gas tank and I don't see anything about that anywhere in the records so I just was kind of curious, was it removed, was it removed illegally, legally or just taken out. So those were some of the things I noticed maybe they can address a sidewalk and if they pushed that post over—oh and one more thing, when we used to dance hula in the 80's, we used to always cross the ditch going down to Hana Bay and there would be soap suds in the ditch. So I'm just wondering if that was coming from the laundromat, and can somebody find out if um there's a drainage that goes to the ditch and what kind of impact that might have on Hana Bay. And so, those are all my questions. Thank you.

Chair Mardfin: Thank you very much. Does any Committee Member have any questions for Mavis? Seeing none. Um is there anybody else in your building that would like to speak?

Ms. Oliveira Medeiros: Carolyn, you want to speak? No, that's it, we're done.

Chair Mardfin: Thank you very much. If that should change, let me know.

Ms. Oliveira Medeiros: Okay, mahalo.

Chair Mardfin: Ah, next would be—is there anybody waiting for us on a telephone from Kahului side. No? Um, Matt is there anybody over there that wants to speak to us.

Mr. Keiley: No, there is no one here. Just Will.

Chair Mardfin: Okay. Thank you.

Ms. Oliveira Payton: Can you guys hear me? Hi.

Chair Mardfin: Yes, I can now.

Ms. Oliveira Payton: Yeah, I didn't ask to sign up to speak. Is it possible to speak or was I supposed to sign up?

Chair Mardfin: You do not need to sign up to speak. Here in Hana, we're friendly to everybody. Please—you're Julie Oliveira Payton.

Ms. Oliveira Payton: Yeah.

Chair Mardfin: Could you tell us where you're from and what you would like to say? You have three minutes.

Ms. Oliveira Payton: Oh my gosh I can talk longer than three minutes. Um so my sister's on the...

Chair Mardfin: Well you can't cause I'm going to cut you off.

Ms. Oliveira Payton: Okay, okay—I'll try to talk fast. Um, so my sisters are on the phone as well: Lisa and Mohe, so we are the house next door to the laundromat and so a couple of questions about parking, permitted use um and the septic tank. And so in the plans it looks like the septic tank is going to go right up to our property line, and we just kinda wanted to just find a little bit more information about that. The parking, it seemed like there was just a few stalls so again if it's a--you know art museum then that would be okay but again if it's going to be something different, we are worried about the parking and like everyone has said it's a very dangerous blind curve and so we just don't want people to get injured coming around that corner there. Um, the next one was fencing if there was going to be fencing between our property line and the laundromat and um--what's that...

Chair Mardfin: I didn't see anything about fencing in there, but again I could have missed it. Would you prefer fencing between your property and this property?

Ms. Oliveira Payton: Yes, yeah absolutely.

Chair Mardfin: Okay. What road are you on?

Ms. Oliveira Payton: Right there on Keawa. Right next door to the laundromat.

Chair Mardfin: Makai--going makai?

Ms. Oliveira Payton: Yes.

Chair Mardfin: And about two doors down is Taki Matsuda's place?

Ms. Oliveira Payton: Yeah, yeah.

Chair Mardfin: Okay.

Ms. Oliveira Payton: Sure. Aunty Lucy and Uncle John's house, the property that actually bumps up to this.

Chair Mardfin: Yeah, I know where that is. I used to go there every New Year's.

Ms. Oliveira Payton: Oh, so fun! ...inaudible... So those are the concerns and then my sister--I don't know if she can have her own three minutes, then she can talk too.

Chair Mardfin: If she speaks--I can give her three more minutes.

Ms. Oliveira Payton: Okay, thank you.

Ms. Oliveira Payton: Unmute.

Ms. Oliveira Tua: Hi, this is Lisa. I'm actually on my daughter's computer so I'm showing up as Telissa Tua, but this is Lisa Oliveira Tua.

Chair Mardfin: Okay.

Ms. Oliveira Tua: Hi, so I'm the kid sister um and so those are the same concerns. Um we did notice, we are worried about the foot traffic, um also the hours of operation if it was going to be running into the late night hours or opening early morning, um our concerns about being able to use our property ah to cook and do things there that was going to interfere what was happening next door. Um and then the septic tank again cause we noticed the absorption ah area was adjacent I mean right next to the property. Um so that and then of course the parking if the overflow, just to not have um people walking onto our property. That was it for me.

Chair Mardfin: How many parking spaces do you think would be too much.

Ms. Oliveira Tua: I noticed that there was maybe eight on that design that was shared. Um what I was worried about is the same thing that other people are talking about is—there's just like a lot of walking so right now the property is not fenced off for us either and um Uncle John still has all of his floaters on the trees so on any given day we have people walking right onto the property um to look at that. So I'm guessing with more foot traffic in that area we may experience the same with greater volume.

Chair Mardfin: They're going on your property from the hotel property...

Ms. Oliveira Tua: Yes.

Chair Mardfin: In order to see it?

Ms. Oliveira Tua: Yes, that's our current state.

Chair Mardfin: Any idea how many vehicles?

Ms. Oliveira Tua: No, they're walking, so it's a lot of walking.

Chair Mardfin: Oh, walking. Okay.

Ms. Oliveira Tua: Yeah, the walking people.

Chair Mardfin: Any idea where they're coming from?

Ms. Oliveira Tua: I'm going to guess from the hotel area coming down or coming up from Hana Bay to the top.

Chair Mardfin: Okay.

Ms. Oliveira Tua: Yeah. And what everyone else is saying like Mavis said and Uncle earlier, it's um really a blind spot so even for us to keep the hedges up high enough so that no cars come flying into the house, um that's been something that we've been very cognizant of.

Chair Mardfin: Thank you very much.

Ms. Oliveira Tua: Thank you.

Chair Mardfin: Would any Board Member want to ask or answer a question for them? Seeing none. Is there anybody else in your abode that want to speak? Are there—not seeing any. Are there any other person on the computer that wants to either ask a question or make a statement? Not seeing...

Mr. Conrad: I'd like to make a statement.

Chair Mardfin: Please do. This is who?

Mr. Conrad: This is Hunton Conrad. I'm the Architect on the project.

Chair Mardfin: Okay.

Mr. Conrad: I would be--we would be more than happy to either put a hedge or a fence along the property line between us and that family because that would be absolutely the easiest thing to do. So if that makes everything work better for them, we're happy to do that.

Chair Mardfin: Thank you very much.

Mr. Conrad: Your welcome.

Chair Mardfin: Is there anybody else that would like to speak?

Mr. Blumer Buell: I would like to testify ah Ward.

Chair Mardfin: Sure, good to hear you. This is John Blumer Buell.

Mr. Blumer Buell: Can you hear me okay?

Chair Mardfin: I can hear you fine. Please begin.

Mr. Blumer Buell: Yeah, um I'm opposed to this rezoning as proposed altogether because the community does not know what the project is for. It's not in the report and actually some of the things under the existing zoning, we might support and some we might not and some under the new proposed zoning, we may support and some not. The community has a right to know exactly what is being proposed. The best way to do that is to require an environmental assessment or an EIS, environmental impact statement, both of them—I think ah you remember when we had the golf course change in zoning, we didn't care if there was an EA or EIS, we cared about the quality of the information. So the EA is fine with me if the quality of information is there. The thing that is very important about that process is the community has the opportunity in any EA through alternatives. In other words, whatever the community wants, should be an alternative. And if they're proposing change in the zoning, there should be an EA and altogether people need to know what is being proposed. I mean I just think ... inaudible...

Chair Mardfin: I can't hear you. Did you finish?

Mr. Blumer Buell: No, I wasn't ...(inaudible)... somehow. Can I finish?

Chair Mardfin: You may still finish.

Mr. Blumer Buell: Yeah, last time when this issue came before the Hana Advisory Committee was a change in zoning in Nahiku. The Hana Advisory required an environmental assessment for a change in zoning and earlier that I can remember was a golf course around 1990-1991, there was a specific proposal for a golf course and country club and the ah community had a chance to give us input to exactly what the proposal was because the approach was a specific proposal and I think that's what the community deserves. On the Community Plan which is more than 20 years overdue for review, 20 years, as it stands ...(inaudible)... even according to the current Community Plan, the community is entitled to be heard on every single issue and that includes knowing what we're talking about, you know ...

Ms. Kim: Three minutes.

Mr. Blumer Buell: Okay, I can think of things that might be appropriate under the current situation that the community would be given a chance to react to those and thumbs up or thumbs down. And I think everybody has raised really good issues so far but we don't know what's even proposed. So I say no until they do an environmental assessment for a specific project. Thank you so much for listening.

Chair Mardfin: Thank you. Does anybody have questions for John? John, I'm going to put something up on here, and I'm feeling my regrets for having Will deciding to go second. But that's okay. Um this is Exhibit 14 and I'm just going to read some of it—permitted uses: amusement, recreational activities, animal hospitals including boarding, art and music studios which maybe how people got off on an art thing um and there are other things. And there is a different table somewhere else in here um I think we need to—I would like to hear from ah Will on what things, what more specific things the owners of the property have in mind. Having ...(inaudible) and having none doesn't seem right. I hear you Will.

Mr. Crawford: Chair...

Chair Mardfin: Yes.

Mr. Crawford: As a point of order, can you hear me?

Chair Mardfin: Yes.

Mr. Crawford: I think that just as a matter of process, it would be best to hear all of the testimony without having a back and forth rather than having people respond to the testimony and then Will can get to the presentation and then we can ask questions to try to draw out further information. But I don't think it's appropriate to get into a back and forth right here around each testimony with Will.

Chair Mardfin: I see your point. But I think we're out of testimony anyhow at this point.

Ms. Kalaniopio-Cook: Well, I'd like to make a testimony, Ward.

Chair Mardfin: Okay, then I'm going to go to Mapuana.

Ms. Kalaniopio-Cook: Okay, did you get a copy of my written testimony?

Chair Mardfin: I did not.

Ms. Kalaniopio-Cook: Okay.

Chair Mardfin: I don't know if anybody else did or not.

Ms. Kalaniopio-Cook: Okay, I sent it out this morning to the Planning--on an email to the Planning

Department and it's fairly kind of long but I'm gonna just briefly go through it and um if you had a chance to review the documents and there's so much to ask and so many questions to um understand and I'm thinking of a philosophical kind of approach and um lifestyle approach to this in the beginning but—and the rest of the document listed page by page what impacts of the specific um areas um exist and um so I'm going to go and start on it now. Okay, so my name is Valerie Mapuana Kalaniopio-Cook. I'm a kamaaina born and raised full-time resident of Hana. I was raised on the property located at Hana Ranch Lot #24. It's on Keanini Drive, TMK 1-4-013:024. I'm currently living there with my mother, Martha Kalaniopio. I am the successor agent of this property. I have spoken with Mr. Spence regarding this, who has been helpful with providing the application documents for review. I've also mentioned my concerns to him, and he was professional in sharing Mani's thoughts on this project so I want to thank um Will for that. I understand that there was—there has not been an overwhelming response to this application so when I received the letter the first time um I was astounded at the idea to request a change of zoning for this parcel. Um and because there was so much to read, and I didn't quite understand it. I kind of put it on the side. And after receiving the second letter recently, it still weighed heavily on my heart and I said, well I'm going to have to do this. So I said well I don't speak for everyone but I'm here to speak for myself, my family and those who want to keep rural spaces open and preserved. So here I am. So there was only one community meeting on October 6, 2021 regarding this project and I don't recall officially being notified or even attending. So although this project allows for community input to which there were little to no responses. The virtual town hall meeting held by Council Member Shane Sinenci including other community updates as well. This was not this ah community meeting that allows active review and feedback on this proposed project. The fact that the Hana Community Plan has designated this area Business/Commercial is outdated. It is 29 years old. The Community Plan is antiquated and needs to be updated. The needs, economy and health and well-being of this community is rapidly changing. It would behoove this Committee to consider a Hana Community Plan review rather than allowing this Business/Commercial designation to guide your decision. So the community needs to decide. This location abuts the residential properties of John and Beatrice Kiambao, William and Eleanor Kamai and William and Martha Kalaniopio, that's us. The entire 500 feet of residences you mailed your letters to are within an area listed as Hana Ranch House Lots. This is a residential ...

Ms. Kim: Three minutes.

Ms. Kalaniopio-Cook: So that's my immediate concern. As long as I can remember in the 60 years the neighborhood has had property sold, vacation rentals, long term rentals continue to roll, as well as I have a non-profit agency down the street. So I'm going to skip forward really quickly and I'm going to say that I understand that the Hana Advisory Committee to the Planning Commission as a defer, recommend approval with no conditions, recommend approval with conditions and deny this application. I would testify that you deny this application for the following reasons. Allow the community's participation and review in providing their response to the application for a change of zoning of the Hana Storage Building or Laundry. The Hana Community Plan needs to be updated, the Maui Island Plan Small Town Country Boundary listed in Chapter 2 um also refers to the community plan, but it's clear that it's linked to every decision that needs to be made. Agencies involved in this process can make a decision based on the Community Plan. Um leave the zoning as Urban Reserve. The location is in a residential area.

This is probably the most important. The BCT Business Country Town designation with conditional zoning will impact this neighborhood. How can we maintain a close knit neighborhood if we allow these kinds of transactions and decisions in our community? How would you feel if this was your neighborhood? So I've listed after that all the other points and it's about five pages long and you could probably look at the whole thing before you make a decision. Thank you.

Chair Mardfin: Thank you very much, Val. Mimi?

Ms. Desjardins: Hi, thanks. Okay so that was over five minutes and I just want to remind everybody that other people don't have that much time to testify. But I do have a question for this testifier who said that she had some detailed written testimony she submitted, and I just wanted to try and track that down. So you folks can get a copy of that. Um we can link it in the chat and you can have an opportunity to review that before you make any decisions. But to the testifier, can you tell me please where did you submit the testimony?

Ms. Kalaniopio-Cook: It said that on the agenda you indicated to provide the written testimony to planning@mauicounty.gov.

Ms. Desjardins: Okay. Okay, I will see if we can track that down and I'm sorry, I didn't catch your name.

Ms. Kalaniopio-Cook: Mapuana Kalaniopio-Cook.

Ms. Desjardins: Thank you very much. We'll go ahead and see if we can get that lengthy chat for you folks.

Chair Mardfin: Mimi, how do I get on chat from this? Can't hear you.

Mr. Smith: Mimi, it looks like you're still on mute.

Ms. Desjardins: Whoa, that's too bad, I just said a whole lot of stuff. Sorry Ward. Thank you. If you look at the chat little thing at the top right-hand corner icon, there's a number 1; I have a number 1 red in the circle.

Chair Mardfin: I have a 7 number.

Ms. Desjardins: Oh okay, you'd better open that chat because you missed a bunch of 'em. So click on it and then you'll see a running chat along the side.

Chair Mardfin: Yeah I do, I see that now.

Ms. Desjardins: Okay, so that's how you get in there and um so we'll see if we can find out where that went and get back to you folks. Okay?

Ms. Kim: Hi, this is Linda um Mapuana, do you know what time you sent that email?

Ms. Kalaniopio-Cook: Um, probably 10:45 – 11? There were two emails that I sent. And I called early this morning and they...

Mr. Conrad: Today's a holiday.

Ms. Kalaniopio-Cook: Yeah, I spoke with people there. Ah one of the ladies answered the phone and so she recommended I do it that way, but I guess because it's a holiday maybe that's why nobody probably got it.

Ms. Desjardins: Ah, no it's not a County holiday. It's just a federal holiday.

Ms. Kalaniopio-Cook: Okay. And I left several messages this morning early to get some um feedback as to where I should send it to; who I should speak with, so um the lady at this number, 278-7838 followed up for me and then she recommended that I email it to that email address: planning@mauicounty.gov.

Chair Mardfin: Mimi, have you finished?

Ms. Desjardins: Yeah, I'm just hoping the Planning Department is trying to locate that otherwise I don't know whether it's possible for the testifier to re-email that at this time so that we can get it before the close of public testimony on this item. Um, I'm just concerned that it didn't get into you folks in time for you to consider it. Maybe, just can we take a quick recess say five minutes and then if everybody just hangs on we'll see what we can find out.

Chair Mardfin: Is that okay with my Board Members?

Ms. Desjardins: Thank you.

Chair Mardfin: Becky's nodding, Clayton...

Mr. Carvalho: I'm good.

Chair Mardfin: Mary Ann's okay.

Mr. Crawford: No objection.

(A recess was called at 5:34 p.m. and reconvened the meeting at 5:50 p.m.)

Chair Mardfin: It sounds like everybody's okay. I'll declare it--I have 5:34. I will declare a five minute recess till 5:40.

Chair Mardfin: Ann...

Ms. Cua: Yes, Ward.

Chair Mardfin: I thought based on what I saw in the handout that ah Kurt—um I blanked out his name. Kurt Woll...

Ms. Cua: Kurt Wollenhaupt.

Chair Mardfin: I thought he was going to be the planner on this.

Ms. Cua: Yeah, he's on leave right now.

Chair Mardfin: Okay.

Ms. Cua: So Alike is presenting for Kurt.

Chair Mardfin: Is that Alike Biniaris?

Ms. Cua: Yes. Biniaris, yes. She's in the room. She's sitting next to the Commission Member.

Chair Mardfin: Okay.

Mr. Smith: Ann, I think Danny might be popping into your office to try and figure out how to get this testimony submitted directly. If we had it in Word format I can always just copy and paste it into the chat box too. But it sounds like it might be somewhat lengthy.

Ms. Kalaniopio-Cooke: It's Word.

Mr. Smith: Is it?

Ms. Kalaniopio-Cooke: Yeah, it's lengthy. Sorry.

Mr. Smith: No, that's fine.

Ms. Cua: Yeah, is it possible to just re-email it to any of us or maybe to Linda or something.

Ms. Kalaniopio-Cooke: Okay, so don't send it to the Planning email?

Ms. Cua: Well, no I think you said you did that already.

Ms. Kalaniopio-Cooke: Yeah, I did it just now.

Ms. Cua: Yeah, but I think the person that normally retrieves that for us is not here today, so if you could send it directly to Linda. Maybe Linda you can...

Ms. Kalaniopio-Cooke: Okay, what is the email?

Ms. Cua: Linda, why don't you give your email and then you can email it out to everybody.

Chair Mardfin: Ann, are you speaking to Linda Kim?

Ms. Cua: Yes.

Chair Mardfin: She seems to be in but not...

Mr. Smith: I think Aliko may be speaking to her so think I see the back of Aliko's head.

Ms. Kalaniopio-Cooke: So...

Ms. Desjardins: Yeah, so her email is linda.kim@mauicounty.gov.

Ms. Kalaniopio-Cooke: linda.kim@mauicounty.gov. Let me look at it again.
linda.kim@mauicounty.gov.

Ms. Cua: It's in the chat.

Ms. Kalaniopio-Cooke: Okay got it.

Ms. Cua: She put it in the chat as well.

Ms. Kalaniopio-Cooke: Okay.

Ms. Cua: Thank you.

Ms. Kalaniopio-Cooke: Your welcome. Thank you. Okay, sent.

Chair Mardfin: One comment. This is a pain in the neck to do things this way, but can't be helped.

Mr. Smith: This is a way to keep everybody on their toes trying to figure this out.

Chair Mardfin: Well, the part—Garrett, I don't think I've met you but part of the problem here is that this thing started in 2021 and now we're dealing with it in 2023. That's not good.

Mr. Smith: I totally understand.

Ms. Kim: ...linda.kim...

Ms. Kalaniopio-Cooke: Yeah, did you get it yet?

Chair Mardfin: Now I think they're talking about it among each other.

Ms. Cua: Did we start the recess?

Chair Mardfin: We're still in recess.

Ms. Cua: ...said five minutes.

Chair Mardfin: Yes, four minutes ago.

Mr. Crawford: Eight minutes ago, but who's counting.

Chair Mardfin: Mine now reads six, but who's counting. How are you doing Mary Ann?

Ms. Kahana: Pretty good, pretty good.

Chair Mardfin: I was happy to see you here when I logged on. I thought you got home from work after this.

Ms. Kahana: I'm actually off today so I got to come on early.

Chair Mardfin: Good.

Ms. Kim: Will, what's your email?

Chair Mardfin: Can somebody fill me in on what's going on?

Ms. Cua: Hi Chair, I believe we're still trying to get those emails.

Chair Mardfin: Okay

Ms. Cua: Linda, are you able to comment?

Chair Mardfin: Am I able to comment?

Ms. Cua: No, I'm asking Linda.

Chair Mardfin: Oh.

Mr. Smith: I just received an email from Linda so it looks like a number of staff may have gotten the document--just emailed to them.

Chair Mardfin: But it's not going into chat. Question mark.

Mr. Smith: I can copy and paste the text into chat right now.

Chair Mardfin: Okay.

Mr. Crawford: Can you email the document out to the Committee Members?

Ms. Kim: Hi this is Linda. I just did. I emailed it to the Committee Members and to the Planning um staff that's here at the meeting today.

Mr. Crawford: Great, thank you Linda.

Ms. Lind: I see--I have just received the email. Thank you.

Chair Mardfin: I just got the email too.

Mr. Smith: I can put it into chat, but it does look like it's quite quite lengthy. I can if you like.

Ms. Desjardins: So Garrett, I think you should cut and paste it into the chat for public, just you know to be able to publish it so the folks on line and the public can also view it cause I know the members have it by email which is great.

Mr. Smith: Alright. It's in the chat box.

Ms. Desjardins: Thank you so much Garrett. Appreciate it. So Planning Department, are you folks ready to reconvene--allow the Chair to reconvene at this point--are we done with what needs to happen here?

Chair Mardfin: This is Ward. I am ready.

Ms. Desjardins: Yes, if we can get Mr. Crawford to get his camera on, I know he's driving. But I'd appreciate that since he's one of the necessary members here.

Ms. Cua: And Chair, I believe the Department is ready. I think everybody's reviewing the testimony that's in the chat.

Chair Mardfin: Thank you, Ann.

Mr. Carvalho: Scott's video is on.

Chair Mardfin: Scott's video is on?

Mr. Carvalho: He's just...yeah he's on.

Chair Mardfin: Okay, I can see Scott's face, I can see Mary Ann's face, I can see Becky's face, um I can see Matt's face I think--let's see, my face—so that's five. I've got 5:50. I hereby call the meeting back to order. Now is there anybody else that needs to speak ah from the public?

Mr. Blumer Buell: Yeah, can we get another thirty seconds, since somebody--Mapuana was able to go on ...

Chair Mardfin: John, John, you got thirty seconds.

Mr. Blumer Buell: Okay, I would like to request that you strongly consider a deferral. I can't read the chat, I'm sorry I don't have a magnifying glass and I can't enlarge it, so I just request that um you defer this and I request it to the next meeting—that you have Will should present first before um—before testimony. Thanks, Ward, for allowing that.

Chair Mardfin: I heard that, what I'm going to do is I think everybody else who wanted to make substantive testimony has had an opportunity to, so I'm going to close testimony now and I'm going to open it up to Mr. Spence to begin his presentation. A motion to defer can be made at the end of that if we so choose anyhow, so let's get it done and then we can talk about it later. Mr. Spence?

Mr. Spence: Thank you Mr. Chair, thank you Committee Members. Um let me share my screen and I will start this. Okay. Um thank you members, um you've already been introduced to me I'm Will Spence of William Spence and Associates, Hunton Conrad is Architect on the project and we're here on behalf of the Mani brothers. Um real quick overview, what we're here for is a Change in Zoning from the current Urban Reserve zoning to conditional Business Country Town. So when um Mr. Fuhrmann testified what are the conditions, we are proposing conditions and we will get into that. So it's not just going to be straight zoning. Um the Urban Reserve zoning really allows no beneficial use of the property. I know it was the laundry for decades—um that's not really a permitted use under the—the existing zoning. The--on a Community Plan designates the property as Business Commercial, and Business Country Town is the only applicable business zoning district for Hana. Ah and then we want to condition the zoning to assure the character of Hana is maintained and the historic integrity is assured.

A little timeline and I won't go through all of these. Um we first started out in July of 2021. I sent out an informational letter to everybody in 500 feet, and I wanted input and I wanted comments. Um I did get a couple calls including from Mapuana um and a couple of others. In October, we went to Council Member Sinenci's virtual public town hall. If you remember, that was during Covid and you know, that--this is like what we had to work with. Um went to Cultural Resources Commission, we had a SMA permit issued to renovate the buildings um etcetera, and I'll--you know I'll just say we spent two years already in this process um in trying to involve the public with it at all times.

Location Map ah I think everybody knows where it is. It's right across the street from the hotel um and next to some residences on Keawa Place and the little bit closer aerial, you can see the wooden building in the back. That building has been used for any number of things including ah storage for the hotel which is really what it's predominantly used for now. Um the stone building, the Hana Store Storage Building is hidden under this banyan tree in this particular image. Just because the questions are probably going to come up, I thought to throw in a couple maps: One, um where is the property in relation to the tsunami zone—it's way outside. Where is it in relation to flood zone—there's a portion a small portion of the property—about half of the property in the XS zone which um is still a very low probability of chance of any flooding. Where is it relation to

sea level rise exposure area—again it's way outside of um any threat from sea level rise. When I started on this project and when the Mani brothers purchased it, the—this building was essentially an abandoned site. Um you can see the photograph, the banyan trees were growing on top of the building, um on top of the walls; you can see the roots growing through the front fasad. Ah, this building was in danger of just being demolished by neglect. It's--was in real dire need of help. They did a fundamental cleanup of the site, ah they removed the trees from the property or from on top of the walls. A different view of the building--it was a dumping ground and the site was pretty much cleaned up than what it is today. There's more work to do but you know they've been taking care of it where it hasn't been taken cared of in a very long time. And ultimately as a rehabilitated building, you know it's going to get fresh paint, etcetera. and then a little bit different view looking at the makai side.

So why change the zoning—the current Urban Reserve zoning, it allows almost nothing. Ah you can build a house, an ohana garage, you can do some farming and you can have utilities. It doesn't go well with the history of the property or the intent of the Community Plan. And it's really--converting the building to a house is inappropriate for this building. The original zoning in 1958 or I'll say first, prior to 1958, there was no zoning at all and that's how the original Hana Store was established. So, then in 1958 the Board of Supervisors zoned the property Interim and then in 1997, um the County Council rezoned the property to Urban Reserve. The purpose of zoning to Urban Reserve—they could've zoned it just according to the Community Plan which would've been Business or Business Country Town. But the purpose was to allow additional community review which is why we're here today um to allow that review. The Urban Reserve provides for no business uses at all um but the term Reserve implies that the zoning will be changed and part of the purpose is to zone it which is consistent with the Community Plan designation which is Business Commercial. This is a copy of the scan; it's available on line. You see this B right here, it's identifying the property for Business. And the description in the plans—what's the plan intends for this property includes retail stores, offices, entertainment enterprises and related accessory uses. And the Community Plan is not very specific, the zoning is actually specific um uses for it. Little bit different map. This is ah from the County viewer and it just identifies the property here as commercial. When we started out um, re-established business use on the property and I should say this, it has 120 years of commercial use on this particular site. But when we went through the process, we weighed a number of values and though these are numbered um we really thought of them all together so maintaining the character of Hana town was super important. Historic Preservation—this is a historic site; that's very important to the Mani brothers, to myself and to Hunton for that matter. Um and then public outreach we'll go through those just a little bit. 1. Preserving Hana Town Character. The property is in the Special Management Area. So other than the buildings that are there, if somebody sometime in the future, there's no intent at all from the current owners but at sometime in the future if somebody wanted to build something larger on the property, that is in the Special Management Area. That would have to go through the whole public hearing process, so you know minor things no need go through public hearing. You know refurbishing the building like we're talking about here but if somebody wanted to build something new, that's going to the public hearing process, it helps preserve the Hana town character. Also historic preservation is a safe guard. This property is listed on the State Register of Historic Places as the Hana Store. Um when we went to the Cultural Resources Commission, Planning staff did some additional research on the property. It

shows—this building was constructed in the 1890's but it was only a part of a larger group of wooden buildings. So if you look at the illustration this is from a Sanborn map, a historic insurance map—fire insurance map. The blue is the stone building we're talking about right now. The reason it's colored blue is because it was considered fireproof, whereas the ones colored in yellow, um were wooden and those are not considered fireproof. It's also considered secure because you can lock it up—people can't just break into it. So that's why we're referring to the property as the Hana Store Storage Building because it was only a part of a much larger complex of buildings that made up the Hana Store. And then of course everybody is familiar that it was the laundry building when—we don't know where the original wooden buildings went but sometime after Paul Fagan started the hotel, he started using this particular building as the laundry. And it was closed in 2010, so the—there was a question about you know the suds and all that. The laundry function of this building was closed in 2010. It had what the EPA referred to as a large capacity cesspool and they just said, no you gotta close it. So that's what took place and it hasn't been used really for anything since then. Um overall, this building has a 120 years of commercial use—quite extensive ah history there.

I thought I would throw this in. This is the only photograph I know that shows the building itself. Um this is up from Lyon Hill of Pu'u o Kaha'ula and it's dated on the back from 1945. And this is courtesy of the Hana Cultural Center. And the arrow here points it out and I'll show you a little bit um closeup of that one section. But you can see here there was one--this is the stone building but it's also part of a much larger conglomerate of buildings that made up the store. So in renovating the building, we went to the Cultural Resources Commission in 2022. They reviewed the renovation plans, they reviewed the staff report which was quite extensive and I believe that's part of the package. Um the CRC approved the plans with the staff recommendations and there was um some quite extensive things for us to do. One is a stucco repair—has to be done with a material compatible from the 1890's. So we found a place that did the analysis and we know how to do that. Ah replace the windows with period correct windows—um the HABS documentation that's the Historic American Building Survey and then the Planning staff is going to update the nomination papers. So it's not just more correct that will actually be on the National Register of Historic Places. And all of that is to demonstrate how serious um the owners take historic preservation. This is a site plan, um you can see the buildings aren't going to change that's going to remain there. I think the wooden building is going to have a little bit of the rotted section taken off. But the parking lot is going to be gravel; it's not going to be pavement, so all the broken up pavement that's there now—that's going to be removed. Um and then the sites are gonna be gravel. And there's a question of parking, there'll be 13 stalls on the site.

Chair Mardfin: Could you show where they will be?

Mr. Spence: I'm sorry?

Chair Mardfin: Can you show where they will be?

Mr. Spence: Yes, I can go—so the stalls um the three up here, there'll be eight stalls um adjoining the property line here, and I appreciate the Medeiros' comments about a fence and as Hunton already said we're happy to put up fences, um fences, hedges you know we're good with that.

And then there'll be a couple stalls up here and then of course we'll be required to put in um some handicap parking. Um those are probably going to be paved—I think it's a single stall. That is going to have to be paved. So that's the only pavement that's going to go on the site. Um the elevations of the building are going to remain the same. We're not changing those whatsoever. The floor plans, um this is the original floor plan with the machines--the laundry machines in it, basically all we're going to do inside is put up a divider of course paying attention to the the historic character of the property. And in it, I like this because I went and took the photos. Um but these are large format photos that they're going to go in the Library of Congress so it will be a part of the national archives. Ah I shouldn't say archives—that implies all the secret stuff that's going on now. Um but these are not going to be secret. But they will be available to the public and will be stored in Washington, etcetera, so documenting the building forever. Internally, if you haven't been inside the building, um these trusses here where they're holding up the roof, those are considered very rare in a distinguishing feature of the building. So that was historic preservation.

Public Outreach, um that was a very important part of our process. First off before we ever filed an application or anything, we sent out a letter in 2021 to everyone in 500 feet. Ah I was very much looking for public input and comments, I did receive some—pardon me, um we attended Shane Sinenci's virtual public town hall. Ah I am a believer in—during the change of zoning process we were required to send out certain forms to everyone in 500 feet. One is a notice of application, ah the other one is a notice of public hearing. I think it's kind of—it's almost rude to send out the forms as they are because there's no explanation of what they are or anything. So I feel it's courteous to send kind of an explanation letter with um these notices. And so that's what we did. Each one of the letters requested input from the public.

So now we get down to the brass tacks of what is Business Country Town zoning. Really what it is, it's a particular zoning district that is to be applied to our small towns. It goes to maintaining the small town character. So in the purpose and intent of the the district, it gives examples um Paia-Haiku, Hana is specifically named as a Country Town, so is Lanai City and the towns on Molokai. This is exactly the same zoning that's at Hasegawa General Store and what's up at the Town Center. So this isn't anything new for the town...

Chair Mardfin: Which Hasegawa General Store...

Mr. Spence: The new one.

Chair Mardfin: Where they're currently located...(inaudible)...?

Mr. Spence: Where they're currently located. I think the old one where they had a gas station. I think that one is also, um I would have to check on that. I'm sorry. But the Town Center is also Business Country Town.

Chair Mardfin: Okay.

Mr. Spence: So in our discussions...

Chair Mardfin: Will, I just want to tell you something. Where the Hasegawa's is now is where they went after—there was arson.

Mr. Spence: Right.

Chair Mardfin: And what they're building there is the old Hana Theater.

Mr. Spence: Right.

Chair Mardfin: There haven't been an old General Store.

Mr. Spence: I understand that. Right, I understand that. Um...

Chair Mardfin: Okay.

Mr. Spence: But that is what the zoning is on the--that property.

Chair Mardfin: Okay.

Mr. Spence: Um what I was going to get to is that—so this is the proper zoning for Hana for a business property in Hana, but the code is really really broad. Um it allows a lot of things, that should not—we feel should not be on this site or ever be on this site cause we know that the zoning is going to outlive all of us. It should not be on this site and some things should not be possibly anywhere in Hana. So we're coming forward and we're requesting to the County Council for conditional zoning. These are the things we're saying you know um Chair Mardfin, showed you that big long list earlier this evening--What should NOT be on this particular site. There should be no B&Bs or vacation rentals, it's a site unsuitable for dwelling units, um it will never be a gas station, we don't want government offices, day care, schools. Those are particularly the schools are a real noise generator. That um I know people have expressed concern, no pet shops, hardware store, recycling center, um we don't have anything against non-profits at all, um certainly nothing against churches or you know public/quasi public uses. It's just not the right site for that use. Um and then of course no swap meets. We think that would generate too much noise, too much traffic.

Um so what should be allowed and this is in the context of maintaining a historic building as well as you know being courteous to the neighbors—um retail/general merchandising. Ah this is probably a good place to mention; you know we had thought about the Hana Coast Gallery in there. That is not ah set in stone by any means. Um you know there is any number of different retail uses that could go in there. It's not—um nobody is set on the gallery at all. Um building could be used for general offices, libraries and museums. What better use of a historic building um except you know for a library or museum. You can also have personal business (medical, dental, bank) those kinds of things and then of course warehouse facilities. The wooden building right now is being used for storage for the hotel and then of course parking or whatever goes in a historic building but also what would be allowed for the hotel.

Then there's a couple of things we thought of um, I know that there was some discussion of one of the testifiers were saying you know you have to come back to the community. Some of the things should just be allowed as a right but there's a number of things we really strongly felt might be okay but it requires more community input. One of those would be amusement and recreation like um dancing, music, karaoke, those kinds of things. Um eating and drinking establishments, there's a number of people have expressed interest um in using this building for those things. We're saying it might be okay but only if it's locally owned and operated. We're really concerned about um corporate chains and franchises those kinds of things. Those would have to come back to the Hana Advisory Committee. And then other similar business uses, there's a catchall section in each zoning district that says other similar uses um normally as approved by the Planning Director. Ah we're saying if approved by the Hana Advisory Committee and the Maui Planning Commission. So I doubt these things will ever go on the site but if somebody sometime in the future proposes it, there are safeguards for the community ah in place.

We discussed traffic in the application as far as quantity of traffic. We don't anticipate any kind of increase in traffic for the site because it's really small. Nobody is going to advertise this property in Pau Hana Magazine anything like that. So it's never going to be a destination. Nobody's going to get in their car and say I want to come to this building. That's just not going to happen if—if visitors stop by, it's going to be as part of their trip to Hana. Um the comments about you know it being on the corner and pedestrian traffic—I'm glad those things came up. I'm really interested in maybe in crosswalks and those kinds of things. I think we'd be more than happy to um discuss how we can help control that and the pedestrians to the neighbors discuss ah people maybe coming up from Hana Bay, um and hotel visitors—I don't know if we can—we can't just control everybody but certainly the hotel could you know inform visitors, hey use the crosswalk. You know do these kinds of things, so we will discuss that internally um and we're happy to make accommodations wherever we can. As for runoff, you know that's always an issue with properties. Um I was a little shocked to hear about suds going down the drainage along Keawa. Ah I would bet money that hasn't happened since the laundry was closed as said, the EPA said you gotta close it. So that's what the previous owner, I was going to name him. That's what the previous owner did. They just closed the laundry altogether um and that's been concreted in. Um noise I think when we paired down the numbers of uses that the zoning would normally do and we're saying they shouldn't—certain things should not be on the site. Um that would certainly cut down any potential for noises. As far as the hours of operations, pretty much everything in Hana closes early. I think that's—you know there's not going to be anything on the site that is going to want to stay open you know unusual, the later night users are going to be on the hotel property itself and up at the Town Center. So if there's retail on the property or if there's office space, um those are gonna close 4:30, 5:00, maybe 6:00 and that's pretty much it. It's going to be consistent with what already takes place in Hana. And then as far as lighting, um we may have to put in some security lighting but it's going to be a small amount and it's going to be downward shielded to County Code, and we will pay special attention to the surrounding neighbors because nobody wants those kind of lights shining into their property.

The septic system was brought up. There's a new system has already been installed. So that's already done and it just—it's going to accommodate the single restroom on the property. That's not very intensive um and it's already been designed by an engineer. It was approved by the

State Department of Health and already installed. Um Ward, Mr. Chairman, that's all I have. If you want me to go through some of the questions that maybe weren't answered, I'm happy to do that.

Chair Mardfin: Um, let's see where our members are.

Mr. Spence: Okay.

Chair Mardfin: ...(inaudible)... and then we can go back and pick up anything that they seem to have missed. Would anybody like to ask any questions--any Board member?

Ms. Lind: Hi, can you hear me?

Chair Mardfin: Becky, please.

Ms. Lind: Yeah um, so there are a couple mentions of the Hana Community Plan. Um is there--does that get renewed like at certain intervals? When is the next plan to be um revised or updated?

Mr. Spence: I'll let Planning staff handle that.

Chair Mardfin: Yeah. That's the Department and I've been listening to this for at least 15 years and I don't think we're any closer than we were 15 years ago. But maybe ah Clayton Yoshida or Ann Cua or somebody can fill us in on when there's a plan to get around to the Hana Advis—to the Hana--it's not the Hana Island Plan, it's the Hana...

Ms. Biniaris: Community Plan

Chair Mardfin: Community Plan. Thank you. It's a green cover.

Mr. Spence: Right.

Ms. Cua: I don't have that information, but I can try and contact someone who would and get--hopefully get you an answer by the end of this meeting. I don't where it is on the radar. I don't know if Garrett knows, he just joined.

Mr. Smith: I'm looking for it as we meet--as we speak. I'll get back to you just in a couple of seconds.

Ms. Cua: Thanks, Garrett.

Chair Mardfin: We used to be high on the list back when Jeff Hunt and Will Spence were around. But then the Council got involved and we got moved from first to last on the grounds that we've changed less than the others so why do them if they haven't changed that much. I don't agree with that but that's the kinds of words I used to get.

Mr. Spence: I know that the ... inaudible..., Mr. Chairman, um I know each Community Plan is taking two to three years to complete and they just finished ah West Maui, they're working on South Maui now, then it's going to come Central Maui with Wailuku and Kahului, then going to go Paia-Haiku—Paia-Haiku, then it's going to go Makawao, Pukalani, Kula and then you are correct that Hana is coming last. That is the word we're looking at I hate to say another seven to ten years.

Chair Mardfin: That doesn't surprise me. ... (inaudible)...

Mr. Spence: And Garrett may get on and absolutely correct me on that. But um that's my experience as I've been watching these Community Plans.

Ms. Lind: What year is it the current Plan that we're working with—what year was that one drafted?

Chair Mardfin: Mid 90's.

Ms. Lind: 90's.

Chair Mardfin: Mid 90's.

Mr. Crawford: It's '94. 1994.

Chair Mardfin: Thank you, Scott, '94. We have a lot of knowledge in our community that has been hanging around for a long time.

Mr. Spence: There's also—I'll just say there's a part of the County Code that also says that the existing Community Plan is in full force in effect until a new plan is adopted.

Chair Mardfin: Yeah.

Mr. Spence: So this is your plan for right now.

Chair Mardfin: Yeah. It particularly irritates John Blumer Buell that it hasn't been touched for some time, but that's okay. Bothers me too.

Mr. Spence: I think it bothers all of us.

Chair Mardfin: It doesn't bother the people that live on the other side but it bothers the people that live on this side.

Mr. Spence: Sure.

Chair Mardfin: But I will concede that we have probably changed less than most of the other places on the island. In fact and Lanai and Molokai for that matter. Any other question Becky? Mary Ann, anything you want to ask?

Ms. Kahana: (Nodding)

Chair Mardfin: Please.

Ms. Kahana: Ah, yeah I don't have a question but again I have a comment.

Chair Mardfin: Please.

Ms. Kahana: I have trouble to believe that it won't make an impact is what the presenter shared to us. Um, like anything ah if you build something, people will come. So when they started with the the market, now there's a lot of people now there on a Friday. And a lot of people jaywalking just to get to the site...

Chair Mardfin: You're talking about--by between Wananalua and Hasegawa's?

Ms. Kahana: I'm talking about um Hasegawa's and the and the service station, and across of Hasegawa's.

Chair Mardfin: Okay.

Ms. Kahana: People are jay walking, you know they're coming from everywhere. Locals, hotel members, the Hana Kai, Joe's Hostel. I'm having—I go down Keawa Road every week to pick up my cousin to drop her off during the lunchtime and then sometimes to drop her off home when John working. Without that gallery being there, there's traffic on her road and these are people walking from Hana Bay or Hana Kai on Uakea and from the hotel as well because again, now with more food trucks everybody's walking up the road to get to Hana Highway to get to the store or get to the food trucks. So more and more as time has um gone, I find that areas becoming more and more congested, especially with no crosswalks. You only have that one crosswalk that comes from Hasegawa to get across.

Chair Mardfin: Okay.

Ms. Kahana: And then I'm also having to avoid the um golf cart from the hotel. I'm having to--they haven't been using it to my knowledge when I'm on the road. I guess they have a eight seater mule and they use ah Hana Highway—they have used Hana Highway, so now once that art gallery you know open whether it's going to be a success I'm assuming it probably will, like the market, you'll have more traffic starting from that area as well.

Chair Mardfin: What would your mitigation be?

Ms. Kahana: Well, I'm surprised that like other community members hasn't brought up—I mean can't they just restore to make another laundromat? Or is it too old? But that didn't come up on the slide. There's a lot of kupunas that I know that go and do their laundry on the other side.

Chair Mardfin: Will, do you want to comment on the possibility of using it for a laundry?

Mr. Spence: Um, sure. The potential to use this site as a laundry room is not going to be feasible. It's not. Um it's not a large enough site for the septic system would have to have. Um it's just—not the right place for that. Maybe up at Town Center? I know there's been some discussion about that. Their—I don't know what their septic system is but that also has the proper zoning and ah there's room for a much larger septic system, but that's just off the top of my head without talking to my clients at all.

Chair Mardfin: Any other questions? Scott, Matt, you want to ask anything?

Mr. Keiley: Will, what does that owner—your client have in mind for developing this property. Office space or retail?

Mr. Spence: Oh, like I said that hasn't been decided yet. They had, you know the gallery keeps coming up. That was one thought but it really hasn't been decided. It could be office space—it could be um just some other kind of retail. Um and the zoning would just allow that kind of flexibility.

Chair Mardfin: If they used it for—what strikes me is it's both small, cramped and a little blah. I mean—I think, I think the gallery is a beautiful place. I love walking up there and ...inaudible... around, but that wouldn't be very attractive in that concrete building. I don't think, but that's my view.

Ms. Lind: I have another question.

Chair Mardfin: Sure Becky.

Ms. Lind: Um, so are all of these wonderful possible uses um and I'm just wondering that before—um if if zoning changes were to get approved and the company would be able to decide what they're building would be—um would it be ah office space, are you going to seek community input again? Is there going to be an ongoing thing or would that be a set decision.

Mr. Spence: I'm—well the idea behind receiving zoning with a number of possible uses, you know the idea of zoning is to allow that flexibility to use the property. So in that sense I'm not sure, we haven't discussed um more asking what the community wants in there or anything like that. The—if there was some radical thing that somebody you know—my clients don't want to do anything outrageous on the property. But for future use you know those things would have to come back to the community because it's in the SMA and because it's a historic building. But there's going to be other—you know those—there is potential for additional community input.

Chair Mardfin: Will, I went up to the um—the current Hana Store and behind the um cash register, there's a photograph and it's further down makai down below from where the concrete building is and there were a number of buildings there prior to um um Fagan building the hotel. And my understanding is the old Hana Store was down in that region and also I believe the post office and people picked up their mail there. That was what I was told. You know I didn't get out here until 1961. So that was after one year after Fagan died um and the hotel had been here for about a decade--almost a decade. Do you know anything about that?

Mr. Spence: No, now I'm intrigued and I'm going to have to go to the store and look up the photo. Um, just looking at the—you know that Sanborn map with all the different buildings there...

Chair Mardfin: Right.

Mr. Spence: It wouldn't surprise me at all that there was a post office and you know other things there.

Chair Mardfin: Yep.

Mr. Conrad: I'd like to make a comment.

Chair Mardfin: Yes, Mr. Conrad.

Mr. Conrad: The building in the 1880's or 90's, that building is a stone building with plaster on the exterior of it. So it isn't made out of concrete; there is concrete holding the stones together, but it's not a concrete building. It's a stone building. Very similar to the church in town or um the Hana Historical Society building. Many of the buildings built in the 1800's were stone with lime mortar, which is um very historical.

Chair Mardfin: Thank you very much.

Mr. Conrad: Your welcome.

Chair Mardfin: I was trying to think—just going in my own mind um as to how old buildings are and by my quick recollection, the oldest building is Wananalua Church which was I believe ah 1846 or '47 something like that. I would guess the second oldest building might well be this one the one we're talking about. I would guess the third one would be the Buddhist Church. What?

Mr. Spence: Oh, no the Court House is also...

Chair Mardfin: The Court House is very old.

Mr. Spence: Yeah, it's from the mid-1800.

Chair Mardfin: Yeah and I did have that on my list. And that's on the historical...

Mr. Spence: Right.

Chair Mardfin: Ah buildings. But I'm talking about the Court House now I'm not talking about the Museum. The Museum is much later.

Mr. Spence: Correct.

Chair Mardfin: And the Buddhist Church I think is--goes back to the 1920's or so.

Mr. Spence: Yeah, I think you're right.

Chair Mardfin: I wasn't old enough to see it built. But I've seen photographs of it right after it was built.

Mr. Keiley: Ward, I have another question.

Chair Mardfin: Yeah.

Mr. Keiley: If you only have one room on the property right with a septic tank so that means if a bar or you know some sort of type of entertainment facility there, would have to come before this Committee again and the Planning Commission?

Mr. Spence: Well, yes.

Mr. Keiley: Is that what I understood--understand?

Mr. Spence: Yes. And it's not just because of the limitation of the septic, um it's, but that is a significant part of the specific limitation...

Mr. Keiley: ...(inaudible)...is that part of your application--are there limitations? I'm hesitant to—I don't want to see that because of the rural character of the neighborhood...

Mr. Spence: Right, I mean ...

Mr. Keiley: And the residential.

Mr. Spence: Yeah.

Mr. Keiley: You already have two...

Mr. Spence: One of the proposed conditions is that there'd be no restaurants unless it goes to the Hana Advisory Committee and Maui Planning....

Mr. Keiley: Comes back--okay.

Mr. Spence: Commission. Yeah so that's something we didn't want to do.

Chair Mardfin: Matt, this is my view but I think it would be nice to have a non-hotel owned bar/...

Mr. Keiley: I can understand that.

Chair Mardfin: And we used to have them. You know where Purani's is ah right above that there was a um the Kololau's had a quonset hut that used to be a bar. Now this was before again before 1961 before I got here. I was just about drinking age then. Um but it didn't exist—it got turned into that restaurant and now it's right next to the school. That would be another reason you wouldn't want to put it back there. But it would be nice—I think it would be nice to have another place to drink. We have one--it's right outside of town. And they serve pizza on Friday and Saturday and that's a nice kind of a little thing except they don't have a liquor—which is better. They don't have a liquor license so you get to bring your own. Anyway...(inaudible)...

Ms. Lind: I have one last question.

Chair Mardfin: Yes, go ahead.

Ms. Lind: And this is for Will. I mean if the zoning—with the current zoning, say that the change doesn't get approved, what would be the plan then would the renovations still happen. What would be ...(inaudible)...just poking around.

Mr. Spence: If the zoning isn't passed, I don't know. One, I don't know. I don't know what um would happen with the property. It's the renovation of course is very important but that would be a little bit like um remodeling your house and putting in new cabinetry and painting and doing all that stuff and then not being able to live in it. So it doesn't make much sense to renovate and then not be able to use it especially when you know your plan says this is what should be there and all that. So.

Chair Mardfin: Will, I have another question and it came to me—I took a look out there today. There are two big trees on the property.

Mr. Spence: Right, monkeypod.

Chair Mardfin: What's going to happen to those? Cause they could collapse. In a good storm, they could collapse and land right smack dab on the building.

Mr. Spence: Right. I know they already trimmed both of them back. Um so they had an arborist go out and trim them—um the one big banyan that overhangs the historic ...

Mr. Conrad: Will, it's monkeypod.

Mr. Spence: Are they monkeypod, okay I stand corrected. Um but those were trimmed way back so all the dead wood has been cut away and anything that would be a threat to the building.

Chair Mardfin: It looked to me like it could come down but I'm not an arborist. Mr. Conrad, do you have any idea what the stability of that tree is?

Mr. Conrad: The tree is quite healthy. The one that is directly over the building is quite healthy. There was one very sick monkeypod tree on the property. There were three when I got involved, and we took one of them down because it was quite ill. The one that you see that's kind of a canopy that is hanging over the building itself is a very healthy one and I can't tell you if there was a 160 mile an hour winds that that couldn't be impacted at all. But um at this point, the plan is to maintain the tree well and keep it well because it's part of the environment and it's part of the charm of the area. So the plan is to maintain the tree and keep it trimmed and keep it well maintained so that it's as healthy as possible and cross our fingers for an event that would damage the tree and therefore the building.

Chair Mardfin: Right. On the makai of the property is there another tree—not quite as large?

Mr. Conrad: Yeah, there's two on the property now. There was a third and that one was the closest um towards Hana Bay. And that one has been removed.

Chair Mardfin: I used to go to that property on New Year's Eve. That hotel in the good old days used to put fireworks out on the front lawn.

Mr. Conrad: Right. I remember that.

Chair Mardfin: Below the old Hana Store and they'd hire people to come in and they'd put it on the um land in the pasture in front of it and everybody would get around and we used to get up and get on the, on the um washer dryer property because it gave you an unobscured view of the ah fence and the fireworks.

Mr. Conrad: Right.

Chair Mardfin: And people and hotel guests would go out right in front of the hotel—that's not the best place to see it. I missed out on that. Mr. Conrad, you sound like you've come out here to Hana a lot before.

Mr. Conrad: Well I was born and raised here and the first time I came to the hotel, I was 2 years old when I came with my grandmother.

Chair Mardfin: Oh, okay. Did you ever--you leaned forward ah Clayton Yoshida. Do you have a question or something you want to say? No?

Mr. Conrad: I think he's muted.

Mr. Yoshida: Um I guess the Department has ah some comments or recommendation when the Committee is ready for that.

Chair Mardfin: Does it--Mary Ann?

Ms. Kahana: Ah yes, I do have a question. In year 2021 when we did an outreach with the community, was this project known? Cause I'm finding that the few testifiers that came on today doesn't appear to be well informed and that's why they're pushing for a deferment.

Mr. Spence: We um—well we worked with Council Member Sinenci's office to be a part of his town meeting and you know I'm sorry if I'm repeating myself. This was during Covid so it wasn't like um you could just go out and gather a whole bunch of people around. Ah it was all virtual but we let people know as well as we could that it was taking place. I know that the Hana community follows the Council Member very well. The letters that I sent out um—I don't know how to do it much better than that. I provided some explanation um of what's going on and I requested input and you know I got 4, 5, 6 calls, um some emails. I actually got a lot of emails um and you know I'm not sure how much better we could have done with that. We spent quite a bit of time um reaching out.

Chair Mardfin: Mary Ann...

Mr. Conrad: What was that Will, can you continue on?

Mr. Spence: I'm sorry?

Mr. Conrad: When was that? I know it was on your list but I...

Mr. Spence: It was in um 2021, 2022, and then even with the--when we sent out the notice of application—excuse me the notice of public hearing, I also included a letter there and I got a couple calls from that as well ...

Mr. Conrad: So for the last 2-1/2 years.

Mr. Spence: Correct.

Chair Mardfin: Mary Ann, when these things come out the normal way of dealing with it is to use distance from the project. Unfortunately, this particular project is not one that has any distance. You know I live in Wakiu, it's important to me. Um you know, people that live in Nahi--people that live in Hamoa would be interested in this and there's no way they're going to put out a note that says ten miles—anything within ten miles we're going to tell you about. So it's just an unusual project for us. Anybody else?

Mr. Keiley: Ward?

Chair Mardfin: Yeah.

Mr. Keiley: I would just like to see some ah, at that intersection...

Chair Mardfin: Yeah.

Mr. Keiley: I think a lot of people have expressed concern about the traffic and the pedestrian traffic—this photo I'm looking at, I don't see—there's no crosswalk. I think that should be addressed and the—maybe ah raised speed bump type of thing, like they have—they just put in down by the school. That might address those concerns about--of the community.

Chair Mardfin: When you say a crosswalk ...

Mr. Keiley: This photo here, photo #1.

Chair Mardfin: Do you...

Mr. Keiley: There's no crosswalk and then some signage you know for the hotel guests...(inaudible)...

Chair Mardfin: I'm having a hard time finding this but let me...

Mr. Keiley: It's at the back of the stuff—the pile.

Chair Mardfin: Yeah, let me try to explain it. There are different ways you can do it. If you do it from the corner of the property we're talking about, it comes down a U from Hana Highway and I agree there's no crosswalk there cause I walk that sometimes. And if you try to cross over there, you might get nailed cause the people are coming down from Hana Highway. By the way, Hana Highway doesn't go straight—most people think it does. Hana Highway turns left at this building and it goes down Keawa till you get to Hana Bay. But um that would be one place you could draw a driveway. Another place, there is a driveway drawn from the—I think it's called ...(inaudible)... corner that goes...

Mr. Crawford: A crosswalk?

Chair Mardfin: Yeah the crosswalk straight to um the hotel. And that's it in terms of crosswalks. Um about a dozen years ago, I was on the Board for the Cultural Center and I used to pick up guests at the hotel and walk them across the ah property explaining different things in Hana community and then to the Cultural Center and then up the hill. And we were coming up so you can be pretty careful about nobody hitting you on the way up. For what it's worth. So ah Matt, where do you think there ought to be a crosswalk?

Mr. Keiley: From the hotel to the ah laundry building, across the top of Keawa.

Mr. Spence: Sure. We're happy to you know—I'll commit we can do that um we want to work with Public Works to make sure it's done correctly and to their codes.

Mr. Keiley: ...(inaudible)...Ward, I think it's State, Department of Transportation.

Mr. Spence: Hana Highway is a State but crossing Keawa would be County I believe....(inaudible)...

Chair Mardfin: Good, anything else?

Ms. Kahana: Yeah, um Ward I'm just going to say it I just thought I'd share with you, you know you had addressed me that in this type of situation that they cannot reach out ten miles. Just to let you know, when they did a project here at Hamoa, I live 500 feet from Hamoa. I was not given a letter. I was not notified. Okay?

Chair Mardfin: I'm not saying they don't do ten miles. I'm not saying whether or not they do 500 feet. You know you're probably right. And people screw up. I found them screwing up and when I was...(inaudible)...

Ms. Kahana: No, that's ...(inaudible)...

Chair Mardfin: I'm sorry?

Ms. Kahana: I wanted to share with you that there is guidelines but the guidelines is not always followed.

Chair Mardfin: Yeah, that's true. We can't blame Will anymore. He's not—no longer the Director of Planning. And I used to give him grief when he wasn't there and they were wrong. Ah Scott, you had a question I think.

Mr. Crawford: I have at this point not so much of a question but just some thoughts that maybe will lead to a question.

Chair Mardfin: Please.

Mr. Crawford: Which is that um like in general, I think that um you know this is a historic building and it would be for the benefit of Hana community overall to find some appropriate use for the building and not be so restrictive in the zoning that the building is just abandoned and there's no motivation to renovate it and it just falls apart. Um so you know on one hand I'm inclined to want to provide—to support some kind of zoning change that will allow some kind of appropriate use. On the other hand, I hear um resistance and opposition from immediate neighbors and from people concerned about impact and I think that has to be taken seriously. And I'm looking at the um the sort of list of what should be allowed and it seems to me that there is a range of some of those uses have more impact than others in terms of the amount of traffic that they would draw into the area specifically. And I'm interested in understanding better the concern about the neighbors for the impact and if there was some level of use that they would be okay with. And that also would be a use that would be worthwhile for the owners to put the you know the effort

into the renovation and you know I'm wondering if there's some overlap there that we could find that would be you know that would be agreeable. Um so in the list of what should be allowed something like retail and merchandising has a lot of traffic going in and out continuously. Um personal business, um you know medical, dental, bank, hairdressers that type of thing maybe has a little less traffic than retail, but it still has a lot of traffic in and out. Something like general offices we have a lack of office space for non-profits in this community and I know that he mentioned ah what wouldn't be allowed is the you know religious, benevolent, philanthropic societies, public/quasi-public. But I believe that for example an office space for non-profit would be something that might fall into the--what should be allowed um and that would be the um less traffic in and out. So would be some traffic but would be less traffic. Then you have warehouse facilities for use on the property and for the hotel what would basically be no public traffic. So you have a range with what could be allowed and then library would be somewhere in the middle. You know if it was a library that was for local use only that could be something that you know um you know—so anyway there's a range of different impacts to the neighbors and in terms of pedestrian traffic and parking cars going in and out and so I'm kind of just--I feel like I need a little bit more information to have to make a wise decision about where to draw the line of what should be allowed, where the conditions take place for what kind of activities to be allowed that would be agreeable both to the neighbors and to the owners, and if we could find that sweet spot. And at this point, I don't feel like I have enough information to know exactly where that is and understanding either of where—what the neighbors' concerns really are. Are they just against any activity or would they be okay if it was you know like non-profit offices for example. Um and I don't feel like I have enough information from the ownership side to know—well if it was non-profit offices, would that be worth renovating it for. So what I understand that this process has been going on for a couple years, I don't want to drag it on any longer than necessary but I also think that what we've heard this evening is that maybe there's been a lack of public participation and that we could benefit by an opportunity for a little more input and discussion. So what I'm wondering is it makes sense to--for the Committee to recommend actually doing a site visit. If we could schedule it in an expedited manner, not take too long you know but within the next few weeks or whatever, we could schedule a site visit and then come back to discuss it further so that we have a chance to actually stand there and look at the site with the different uses in mind, talk to the neighbors who are impacted and hear directly from them in a little bit more detail about where their concerns are and maybe try to find that level of ... (inaudible)... where we could place that line that it could be—that would be you know satisfactory to everyone or at least as many people as possible. So at this point, that would be my recommendation is that we try to schedule an expedited site visit and then move forward with it after that.

Chair Mardfin: Will, would you like to comment on that?

Mr. Spence: I know that and I appreciate the comments. I know that um when we went over the list of what normally goes in Business Country Town, um we really considered the neighbors. We really considered what the different uses, the kinds of impacts that were there and that's how we paired it down for something that would fit in this neighborhood--kinds of things that would be lower impact already. So we feel we've um mitigated a lot of that at this time. The—and I'll tell you as a former Director when we would get complaints—and I was Director for seven and a half years. Ah when we get complaints, it's all the things like bars because they're noisy, you know

restaurants tend to be noisy—those kinds of things. Um so that's why we weeded out a lot of those out just from the getko. The retail, we didn't get complaints about ah stores at all from area neighbors because there's a lot of places here on this side where retail was right next to residential. We didn't—I'll just say as a Director, I never received um complaints about that. It was always about you know late evening kind of stuff um certainly when talking about drinking and those kinds of things. So we've already been down this path and think that we've mitigated a lot just with the choices that we've made.

Chair Mardfin: Scott?

Mr. Crawford: Um I appreciate that you feel that you have mitigated some of that. Yet today we have three I believe immediate neighbors coming in recommending denial. And I don't feel comfortable being able to recommend approval of it when the immediate neighbors are opposed to it so maybe you know your perception of a retail um outlet in Kahului is a little bit different than it might be in Hana town and that maybe there needs to be a little bit more thought with the input of the Hana community and those neighbors in trimming down that list, um just trying to find that sweet spot. Because obviously we're not there yet.

Mr. Spence: Okay well and with all due respect and I've worked with Mapuana a little bit on the phone, um we've had some pleasant conversations. I know she has a hard time with it. She's catty corner to this, she's um on the makai corner away from the property. The neighbors just makai of the property—I didn't hear them say we don't want anything. I heard the concerns about pedestrian traffic, and you know we're certainly going to work with that. I heard concerns about the fencing, um we're happy to deal with that. I didn't hear them say they don't like it though. But then maybe I heard that wrong.

Mr. Crawford: Yeah, I understand what you're saying. I'm not clear exactly the—and part of this is in—you have the testimony go first and then the presentation. Then the presentation answers some of the testimony but if you have—the other side of that is that like I didn't have the context for the testimony that much and maybe like I'd like to go back to them again and ask them for some further questions. I don't know if we have the opportunity to do that but to be able to try to find out exactly where their opposition is and you know is just mitigating traffic you know enough or if we took out retail/general merchandising and we left everything else in, would that be okay. I just don't feel like we have—I don't feel like I have a clear understanding of that right now of exactly what the opposition is and where the condition—the line of the conditions could be drawn to a draft with their concern.

Chair Mardfin: You know part of the problem too is the fact that we're doing these using BlueJeans remotely. Um you know we used to get together in person down at Helene Hall and we could talk through some things and we can't do that anymore. Since we're doing it—you know the Department really doesn't want to come out to Hana and we can't feasibly get the Hana group out to Kahului so it becomes a problem.

Mr. Crawford: But you know we did do a site visit with the Stice application and...

Chair Mardfin: We did but that was particularly difficult situation.

Mr. Crawford: I think this is a particular important situation. This is a historic building right in the center of Hana town and how it's used is going to have a big impact on our community and I think it's worth having a little bit of you know—it's worth having—to me it's worth having a site visit. It's worth the Committee going down with the planners and with the neighbors and standing there on the site and not just talking about it on BlueJeans looking at maps and giving people three minutes to talk about it. To me that's not proficient—for me to feel well informed enough to be able to make a decision.

Chair Mardfin: Okay.

Mr. Keiley: Ward, I agree with Scott.

Chair Mardfin: Okay. And um we did have a site visit for Stice's property but—and so that's asking the same thing be done here and it would give people who say they didn't feel that they had much opportunity to know about this in advance to now know about it.. So...

Mr. Crawford: Yeah and the more outreach to be done to encourage participation in the site visit and I think that's a good venue to be able to really talk to each other and it benefits the project going forward. It gives a real sense for people to be heard and people feel like there's a common understanding and agreement; not something that's just been pushed forward over their opposition.

Chair Mardfin: I see your point. We meet once every three months I believe, don't we?

Mr. Crawford: Well we can—we have a standing meeting once every three months but we can schedule meetings more often than that as we did with the Stice application. So...

Chair Mardfin: ...(inaudible)...

Mr. Crawford: We can schedule a site visit as soon as we could um schedule to the convenience of the Planning Department and the Commissioners and properly noted in advance within a month or less to have a site visit.

Chair Mardfin: So we could have a site visit in a month or month and a half and then in three months, hold the site visit then hold our quarterly meeting as a decision making meeting.

Mr. Crawford: Well, or is it possible that we could have a live and in person meeting in Hana too. I know this didn't quite work out with the Stice meeting but what we are trying to do is have a site visit and then have an in-person meeting um after the site visit where we could do decision making and if it's possible to do them both in the same day then you know we wouldn't be dealing with the process that much and you know we could have an in-person meeting at the Mother Alice Hall or someplace close by. That would be my recommendation. If it could be scheduled that way.

Chair Mardfin: Mother Alice Hall did work. Will, do your clients have any suggestions or reactions.

Mr. Spence: I don't know. They're not here for me to talk to them. You know I think I pretty much said ...

Chair Mardfin: Yeah.

Mr. Spence: In my experience, um we've mitigated...

Chair Mardfin: Wait, somebody just came on. One second. That was one of the people that was talking to us. Um, this is from Telisa Tua and she writes "Thank you Mr. Crawford, when we gave our testimony, we were under the impression that an art gallery was going to be in that space. Now that we have additional context from the presentation, we would love the opportunity to work through this process further before a decision is made." They're basically asking what Scott's asking.

Ms. Desjardins: Chair, so um I would discourage you from using chat for testimony. Testimony is closed. Um gotta think about what's fair to members of the public who already left the meeting possibly or didn't think they'd have another chance. If you folks want to defer this item then that's... your prerogative...

Chair Mardfin: Who's talking to me...

Ms. Desjardins: Your prerogative...

Chair Mardfin: Who's talking to me...

Ms. Desjardins: I'm sorry, it's Corporation Counsel, Mimi Desjardins, can you see me?

Chair Mardfin: No.

Ms. Desjardins: No?

Chair Mardfin: No, I can't ...

Ms. Desjardins: Okay, maybe can I ask Mr. Conrad to turn off your video so we can...

Chair Mardfin: No, I think I'm just not on the right ...

Ms. Desjardins: No, you just have to have less ...

Chair Mardfin: Okay, now I can see you. Now I can see you.

Ms. Desjardins: Yeah. There are only so many squares at a time.

Chair Mardfin: Yeah, I apologize. I'm sorry.

Ms. Desjardins: No no, that's alright. I just wanted to discourage you from allowing testimony in chat only because you already closed public testimony.

Chair Mardfin: Okay.

Ms. Desjardins: Thank you.

Chair Mardfin: You're right, my mistake. Well. Mary Ann.

Ms. Kahana: Yeah, I'd like to support Scott's request. I don't feel comfortable myself to make a decision.

Chair Mardfin: Can I make a suggestion to you? Why don't you move two things: that we hold a site meeting, that's one thing and if we do that then we can avoid having to make a decision today about either deferring or denying. Would you like to make such a motion?

Ms. Kahana: I would like to make a motion.

Chair Mardfin: Please.

Ms. Kahana: To defer the decision making for the zone changes today.

Chair Mardfin: Okay. Is there a second.

Mr. Crawford: Well, just point of order I guess is you just said if we—I don't know exactly what the procedure is. If we have a site visit is that in effect deferring? Do we need a motion to defer and then a motion to do a site visit? What's the—maybe Corporation Counsel can advise us on the proper process here to make sure we're not doing something out of order.

Ms. Desjardins: Chair, if I could...

Chair Mardfin: Yes, please.

Ms. Desjardins: Thank you. Um no, you're both correct. I mean you can either just make a motion to defer and leave it at that and then that's the end of it. Or you could do a motion to defer and to suggest a site visit with Planning, and then Mr. Crawford if it's possible for Planning to coordinate both that site visit and the--a meeting simultaneously that would save numerous trips to Hana. So it's a good suggestion. Um the Planning Department would have to see when they can get staff out there and you know we have to post it. It would have to be a public meeting. So all of that but you can make your motion Ms. Kahana; this be a motion to defer and suggestion of a site visit.

Chair Mardfin: So are we using Mary Ann—I think Mary Ann made the motion not to defer, but tell me again what your motion was Mary Ann. Was it ...(inaudible)...

Ms. Kahana: My motion was to defer.

Chair Mardfin: To defer.

Ms. Kahana: But based on what Mimi shared, she said we could do both.

Chair Mardfin: Okay.

Ms. Kahana: So I'll go ahead and add on to my motion that I recommend that we do a site visit in addition to a town hall meeting.

Chair Mardfin: Is there a second?

Mr. Crawford: I'll second that motion.

Chair Mardfin: My interpretation of this is that there is—we normally have one of four motions on the floor. We're not doing—we're certainly not doing the approval without conditions, we're certainly not doing the approval with conditions. It sounds like we're not denying and so functionally, we're doing a deferral, and we want to connect that deferral with a site visit. After a site visit, we can figure out what step to take from that point. Is that everybody's understanding?

Mr. Crawford: Yeah.

Chair Mardfin: Is there any discussion of the motion?

Mr. Keiley: We're going to have a community meeting after the site visit, Ward? I think that would be the best to kill two birds with one stone.

Mr. Crawford: Yeah and I don't know what the reason—I don't know the reason why with the Stice um we ended up having to do the site visit and the next decision making Committee meeting on another day, but if we can avoid that. Whatever caused that to happen, if we can figure out a way to hold them on the same day, that would be ideal so we can go directly from the site visit into a meeting where we can take testimony and make a decision.

Chair Mardfin: That sounds like a good plan.

Mr. Carvalho: I think that may have been because we couldn't find a site for the meeting.

Chair Mardfin: Well, it was partially that and partially we were holding it down at Kokee cause we did get a site visit—you didn't make that meeting, but we had a site—give me a second. We had a meeting at Mother Alice and that would be rather convenient to do from this place—particular

place. We did try all over creation to find a location for a site visit. I know that was a royal pain. Um, Clayton Carvalho—no Clayton Yoshida—Clayton Yoshida.

Mr. Yoshida: Ah yes, I guess my question is what time would you want to have the site visit? Um you know the composition of the ah Committee has changed, Lipoa is not on the...

Chair Mardfin: Yes.

Mr. Yoshida: Committee now.

Chair Mardfin: Becky, what time could you make it—a site visit?

Ms. Lind: Ah...

Mr. Yoshida: And I guess the other issue we have was for the meeting—what time do you want to start the meeting.

Ms. Lind: We're looking at—I mean like next week or what are we saying?

Mr. Keiley: Yeah, as soon as possible.

Chair Mardfin: That largely depends on um Will Spence I think and Hunton Conrad.

Ms. Lind: Friday would work for me this week or actually you know what, sorry...

Mr. Crawford: There has to be a certain amount of notice. So we're not going to schedule it this week but if Corporation Counsel can tell us what the soonest they could possibly schedule it in order to get the notice out and then we could look at our schedules and see if maybe like you know two Mondays from now or something might work or something like that. Off the top of my head I'm not looking at a calendar.

Ms. Cua: Chair, could I comment Chair?

Chair Mardfin: Yes. Please.

Ms. Cua: Um, so I think it was mentioned previously that we have--the Department would have to get together with the applicant, we have to find out when you know a place is available, when staff is available to go out there. So the Department at tonight's meeting can't give you a particular time. Definitely it's not going to be next week or anything. You know we have to give people proper notice, but we also have to find out you know the staff who's involved, we have to take Corp Counsel with us, we have to find out when everybody's calendars align. So we would you know obviously be in contact with all of you to see if there is a time where we could all agree on to have a site visit and a special meeting.

Chair Mardfin: Okay. Ann, we found when we were dealing with the Stice problem that Mother Alice Hall is large enough and normally available enough to work. We held it in that room—are you familiar with the room?

Ms. Cua: I'm not. I've heard of it, but I haven't ...

Chair Mardfin: Right behind the Wananalua Church. Clayton?

Mr. Yoshida: Ah yes, we had a meeting at the Mother Alice Hall on the Stice application in September. And it was a fairly controversial project as we all know and ah...

Chair Mardfin: The project was but the location was the only one we could find. We tried churches, we tried everything. Mr. Carvalho.

Mr. Carvalho: Ah, I have a suggestion. Um we could actually meet on the site—this is recommended. If that's...

Ms. Biniaris: I think we might need internet service.

Mr. Carvalho: We have Starlink internet service at the site available.

Chair Mardfin: Okay. The building we've been talking about.

Mr. Carvalho: And the building, outside of the building we can have a pop-up tent and meet right there. We have appropriate chairs and lighting and um we could stage that. That would be absolutely do-able and we would have internet service and we wouldn't--I don't think—I mean to me it would make the most sense to have a site visit and then have chairs and a pop-up tent right outside of the building that we can you know use.

Mr. Crawford: I like the idea. If it's feasible than nobody has to go anywhere, we can do our site visit and our meeting at just right there in one spot.

Mr. Spence: Mr. Chairman.

Chair Mardfin: Yes.

Mr. Spence: Um I am in—this is Will, Will Spence. I am in contact with um one of the associates—could we schedule it for mid-August. I know that's some time out um, but he's going to be here on island and that gives the Planning Department enough time to plan ahead or notice to be given and etcetera.

Chair Mardfin: I don't have any problems. Does anybody--what?

Ms. Lind: He said mid-August? I was just trying to confirm. Is that what I heard?

Mr. Spence: Yes.

Ms. Lind: Yep. Okay.

Chair Mardfin: Is that an okay time for you Becky?

Ms. Lind: Yeah, I'm here um. There's a couple, I mean school starts in August so there's you know a little crazy—but you know it's good, it's good. It's like I'll be...

Chair Mardfin: We might be starting at noon.

Ms. Lind: Okay, yeah. It's just that with a good amount of time in advance I can arrange anything. I have no travels until next year, yeah next year January. I'm going somewhere. Thank you.

Chair Mardfin: Okay. Matt does that work out for you?

Mr. Keiley: Yeah, any day but a Monday.

Chair Mardfin: Any day but a Monday. Um Mary Ann?

Ms. Kahana: Yes, with ample time, I can attend.

Chair Mardfin: Okay, any preference for day?

Ms. Kahana: Yeah, I'm good for Monday. But what's his name is not good for Monday.

Chair Mardfin: Scott?

Mr. Crawford: I was going to say Monday's are good for me but if they don't work for him then I'm flexible. I'm pretty open in mid-August. Um you know if the applicant prefers that time then um you know I will certainly um make myself available.

Mr. Spence: How about either a Tuesday or Wednesday, I think that's in the week of the 14th?

Chair Mardfin: The Planning Department often has a tough time.

Mr. Spence: Understand. That's one reason to push this—um let's say this. Yeah that would be the 15th through the 16th of August.

Mr. Crawford: ...(inaudible)...

Chair Mardfin: Mr. Yoshida? 15th or 16th is okay for you guys? Let me just check my calendar. Please not the 15th of August. I have to see the V.A., which means I'll be on the other side of the island.

Ms. Lind: The 16th will work for me.

Chair Mardfin: The 16?

Ms. Lind: Mmm (in agreement)

Chair Mardfin: Good for me.

Mr. Keiley: Good here.

Clayton Carvalho: Good.

Chair Mardfin: Mary Ann, the 16th?

Ms. Kahana: Good.

Mr. Crawford: Thumbs up.

Chair Mardfin: It looks like at least there's potential depending on the Planning Department and the applicant. It'll be good to see you in person, Will.

Mr. Spence: I know it'll be fun. Long time.

Mr. Crawford: And I know Will and the ah you know applicant that this may not be the outcome you were hoping for but I would encourage you to look at this as an opportunity to really engage with community to gather support for the next step in this project and um look at it as a positive opportunity.

Chair Mardfin: That's true.

Ms. Biniaris: So quick question. Did we make a motion and actually approve that?

Mr. Crawford: We're still in discussion on that.

Ms. Biniaris: Okay.

Chair Mardfin: We're discussing in principal but we have not voted in person. Are we ready for--the motion is as I see it. To have a site visit as close to August 16 as can be feasibly arranged to be followed...

Mr. Crawford: Yeah, I wouldn't put the date in the motion. That's part of the discussion but don't include that in the motion to tie it down to a date in the motion.

Chair Mardfin: Okay, the motion is to have a site visit in the future—in the relatively near future have a site visit at the site in Hana to be followed by on site ah meeting. And that needs to be—I think that meeting date whatever you decide it has to be itemized.

Ms. Cua: Um Chair, could I make a comment—this is Ann.

Chair Mardfin: Yes. Please do.

Ms. Cua: If you don't mind, could I help with the motion a little bit?

Chair Mardfin: Be my absolute guest.

Ms. Cua: Thank you. I would suggest that the motion would be to defer action on this matter for today, to schedule a site visit with a followup meeting. I don't think we want to say where the meeting's going to be because we need to figure that out.

Chair Mardfin: Okay.

Ms. Cua: So if that's okay, that would be the three points—defer action today, schedule a site visit and have a followup meeting.

Chair Mardfin: Mary Ann, Mary Ann you made the initial motion, you've been offered a word snipping help. Is the wording of that motion acceptable to the maker of the motion, you.

Ms. Kahana: Well, I thought we already agreed with the deferment. Did that not fly?

Chair Mardfin: Well, I never took an exact vote on it.

Ms. Kahana: Okay.

Chair Mardfin: Are you acceptable with that wording?

Ms. Kahana: Yeah, we would reconvene to make a...

Chair Mardfin: We would be adjourning this meeting with a motion being to defer and then we'll make another motion about a site visit. Is that okay?

Mr. Crawford: No, we're making one motion. I think it's one motion she's recommending that includes deferring action today and recommending a site visit and another meeting on the same day.

Chair Mardfin: Ann Cua, is that what you intended?

Ms. Cua: Yes, that is what I intended. Thank you, Mr. Crawford.

Chair Mardfin: Mary Ann, is that acceptable to you the maker of the motion.

Ms. Kahana: Yes, that's acceptable.

Chair Mardfin: Is that acceptable to Scott as the seconder of the motion.

Mr. Crawford: Thumps up. Acceptable.

Chair Mardfin: All in favor of the motion as restated and revised: Mary Ann-Aye, Scott-Aye, Becky? Becky-Aye. Clayton Carvalho. You don't have to...

Mr. Carvalho: Abstain—I'm abstaining, right?

Chair Mardfin: You don't have to, not for this one. I don't think.

Mr. Carvalho: Okay. Yes.

Chair Mardfin: Um Matt Keiley?

Mr. Keiley: Yes.

Mr. Crawford: Chair, I don't know if there's a technical difference or if it's important between abstaining and recusing, but that might be something to clarify if it matters.

Chair Mardfin: It doesn't matter for this one.

Ms. Desjardins: Chair, it does matter for this motion. Mr. Carvalho made it clear that he was recusing himself completely from this subject and that would be deferral and anything and...

Mr. Carvalho: Right, right.

Ms. Desjardins: So we'll just respect that desire of his.

Mr. Carvalho: Right. I—I...

Chair Mardfin: It's great to have lawyers around.

Mr. Carvalho: I'm abstaining if possible. Yes.

Chair Mardfin: So there are five in favor with no objections—no nays. 5 Ayes, no nays. Motion passes.

It was moved by Committee Member Mary Ann Kahana, seconded by Committee Member Scott Crawford, then

VOTED: to defer action today and recommend a site visit and a followup meeting on the same day.

(Assenting: S. Crawford, M. Kahana, M. Keiley, B. Lind, W. Mardfin)
(Recused: C. Carvalho)
(Excused/Absent: D. Wariner)

Chair Mardfin: Would anybody else like to say anything before we—oh, we're not adjourning yet. We still have work to do.

Ms. Lind: Uh-oh, what's next.

Chair Mardfin: We got ...

Ms. Cua: Chair, Chair if I could um...

Chair Mardfin: Orientation. Yes, Ann.

E. ORIENTATION WORKSHOP (DEFERRED TO NEXT REGULAR MEETING)

Ms. Cua: Yeah, I think in the interest of time, you've already been going for three hours, I think the Department would propose that we um move the orientation training to either the next meeting or the meeting after that.

Chair Mardfin: To the next regular meeting.

Ms. Cua: Yes.

D. DIRECTOR'S REPORT (DEFERRED TO NEXT REGULAR MEETING)

E. NEXT REGULAR MEETING DATE: SEPTEMBER 18, 2023

Chair Mardfin: Because our next regular meeting date is September 18th.

Ms. Cua: That's fine.

F. ADJOURNMENT

Chair Mardfin: Okay. I'm about to adjourn. This meeting is hereby adjourned.

Ms. Cua: Thank you.

Mr. Kieley: Aloha everybody.

Chair Mardfin: Bye everybody.
Mr. Crawford: Aloha

Mr. Carvalho: Aloha

Ms. Kahana: Aloha

Ms. Lind: Aloha

Chair Mardfin: Will is there anything we need to talk about anything?

Mr. Spence: No, just thank you Chair and thank you Committee Members.

Mr. Conrad: Thank you from Hunton.

There being no further discussion brought forward to the Committee, the meeting adjourned at 7:35 p.m.

Respectfully Submitted by:

LINDA KIM
Secretary to Boards & Commissions I

RECORD OF ATTENDANCE:

PRESENT:

Ward Mardfin, Chair – via BlueJeans
Becky Lind, Vice-Chair – via BlueJeans
Clayton Carvalho, Jr. – via BlueJeans
Scott Crawford – via BlueJeans/Phone (Joined at 4:50 p.m.)
Mary Ann Kahana – via BlueJeans
William Matthew Keiley – in person

EXCUSED:

Dean Wariner (Awaiting FDS)

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OTHERS:

Garrett Smith, Deputy Director, Department of Planning – via BlueJeans

Ann Cua, Planning Program Administrator, Current Division, Department of Planning – via BlueJeans

Danny Dias, Planning Supervisor, Current Division, Department of Planning – via BlueJeans

Clayton Yoshida, Planning Supervisor, Current Division, Department of Planning – in person

Mimi Desjardins, Deputy Corporation Counsel, Department of the Corporation Counsel – via BlueJeans

Aliki Biniaris, Planner, Current Division, Department of Planning – in person

Linda Kim, Secretary to Boards & Commissions I, Current Division, Department of Planning – in person

**HANA ADVISORY COMMITTEE
TO THE MAUI PLANNING COMMISSION
NOTICE OF PUBLIC MEETING: SITE INSPECTION
FULL MINUTES
SEPTEMBER 28, 2023**

A. CALL TO ORDER

The special meeting of the Hana Advisory Committee to the Maui Planning Commission Notice of Public Meeting: Site Inspection was called to order by Mr. Ward Mardfin, Chair, at approximately 1:12 p.m., Thursday, September 28, 2023, at the Hana Store Storage Building (Old Laundry Building), located at 9 Keawa Place, Hana, Island of Maui, Hawaii 96713.

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

Mr. Ward Mardfin: For those of you that don't know, this is (...inaudible...) Oliveira, he was my fifth grade student. I was a fifth grade teacher back in 1964 I think. And he lives a few doors down from me and we talk a bunch of stuff. Okay, this is not the right date ...Okay, thank you. Um it is...

(...inaudible speaking...)

Ms. Linda Kim: September 28

Mr. Mardfin: Does anybody have the time?

Mr. William Matthew Keiley: 1:15

Mr. Mardfin: 1:15 on September 28th. Ah we're supposed--this meeting was supposed to have started at 1:00. Ah the members present are Becky Lind is not here.

Ms. Kim: No.

Mr. Mardfin: Ah Clayton Carvalho is not here. Scott Crawford is here, thank you very much Scott. Ah Mary Ann Kahana is not here. Um Matt Keiley is here.

Mr. Keiley: Present.

Mr. Mardfin: is here. Ah Dean Wariner is here. Ward Mardfin is here. So that's four people out of seven—one, two, three, four, five, six, seven—which means we have quorum. So I'm hereby calling the meeting to order. This is a site inspection um and, Will, do you want to start with something?

Mr. William Spence: Sure—or normally staff...

Mr. Danny Dias: Oh, can I just say really quick. So for recording purposes, it's a little tricky with a site visit because we're trying to capture everybody at once so if we can just be mindful of just one person speaking at a time. That way, Linda can capture what you're saying so just keep that in mind. Thank you.

Mr. Mardfin: Thank you. Ah, they have you down for the first thing for site inspection, so why don't you...

Mr. Spence: ...Normally staff gives some kind of—sorry, I just payed no attention to Danny. Um normally staff gives a little introduction and then um the consultant talks about it so I don't know if Kurt wants to start or ...

B. SITE INSPECTION

Mr. Kurt Wollenhaupt: Good afternoon everyone, my name is Kurt and I'm in the Planning Department of the Current Division. How projects usually work is that a Planner is assigned to a project. This one has had a couple of planners—I'm the third one on it due to changes, and we prepare a staff report and a recommendation and Danny Dias is the Supervisor of the um Land Planning Division. So today what we are on a site visit in order to look at what possible uses could be allowed if a change in zoning was finally agreed to by the County Council. So we're going into more of this at the meeting at 2:00 especially if anyone doesn't quite understand what a change in zoning is, but the Hana Advisory Committee meets and gives a recommendation to the Maui Planning Commission. Now you have had your public hearing I understand on June 19th, but we'll take testimony today as if it would be a public meeting and depending if we can get an agreement, then your decision will be forwarded to the Maui Planning Commission, then they will make a decision that will be forwarded on to the um Corporation Counsel for the drafting of an Ordinance and then that Ordinance will be sent to the Planning and Sustainable Land Use Committee of the County Council and they will have two readings if they can agree and then the full Council um—well has one reading, the full Council will have two readings and if it's signed by the Mayor then the change of zoning is in effect for this property.

So the purpose of the site visit is to really get a feeling of what buildings are gonna be used some of the concerns with the property line, I think there was some issue with perhaps a cross walk. So to really get a physical sense of the site. And the request is to change it from a zoning called Urban Reserve to Business Country Town. Um as we had talked before, apparently this building had been used as the Hana Store which was a painting in the Hana Hotel. So essentially it's an attempt with—for the Hana Advisory Committee to think about uses that could be respectful of the neighborhood but also that have been used here before. So this is your opportunity to see the site when we go into

the meeting, we'll be talking more about the project and I do want to emphasize that it's called conditional zoning. It's not as if, oh it's Business Country Town so everything can be done--no you're going to be talking about the uses you think would be appropriate and respectful for here. So that's kind of an overview of what we're doing, and I think that Mr. Spence will have maybe a site handout and we'll be talking about the different buildings. Thank you.

1. **MR. WILLIAM SPENCE on behalf of MANI HANA RESORT (DE), LLC is requesting a Change of Zoning for the Hana Store Storage Building (Old Laundry Building). The project is located on approximately 21,711 square feet of land located at 9 Keawa Place, Hana, Island of Maui at TMK: (2) 1-4-013:001 (ZPA2022-00001) (K. Wollenhaupt).**

The Public Hearing on this item was held on June 19, 2023. The Hana Advisory Committee deferred this item, recommending a site visit/meeting to follow. The site visit (1:00 p.m.)/meeting (2:00 p.m.) was scheduled for August 10, 2023, and was canceled on August 8, 2023 due to lack of quorum. It was rescheduled to September 28, 2023.

Mr. Spence: Thank you Kurt. Um just because it's being recorded, my name is Will Spence, I'm a Land Use Consultant, um you know I work for myself, I was formally a Staff Planner like Kurt in the Planning Department, and then I was the Planning Director for seven and a half years and now back on my own.

The--what these owners want to do is they're very respectful of the history of this property. Um they want to be able to reuse it right now and maybe Kurt will explain more in the meeting but right now this property is zoned Urban Reserve and what that is ah your Community Plan says that this is Commercial Business—Business Commercial and so at some point this should have some kind of business zoning. The--back I think it was 2009 or thereabout, the County Council zoned this property they were getting rid of interim zoning all over the County as much as they could. It came to a couple of properties they thought maybe there should be some more community input. So what we're going to do is zone it Urban Reserve and let them go through the process of changing the zoning. That doesn't change the Community Plan that doesn't change that intent, it just says maybe there should be more review. So here we are today, we're going through that more review. Um like I started out saying what they want to do is change the zoning, they don't want—like Kurt was saying—they don't want anything to happen here. They're very cognizant of this community. They want to be good neighbors. Um they don't want a McDonalds, they don't want a gas station, they don't want things that are gonna be really

disruptive. They want things that are going to fit into this building and be able to use the green wooden building, refurbish them and um you know but the emphasis is to take care of the historic building to fit in with the community and so that's where they set themselves out to go.

I'm not sure where to go from here, ah, we're here for the site visit. We can—I know that a site plan was handed out. Um okay so people have reviewed that. I wanted to point to one thing in the powerpoint. This is a map—a Sanborn map—fire insurance rate map that was found by one of the staff planners and it identifies the blue building is this one. It's blue because it's made of stone, it's considered fireproof and secure. The rest of the buildings in yellow those were wooden and so there's a fire risk. So as you can see this was—this was—this building here is the last remnant of a much larger complex of buildings and um it's a much less—much smaller part of what used to be right on this property. So with that, do you want to go walk around the outside or do you want to go inside?

Mr. Wollenhaupt: Oh hello again. Um I think we can go just to each building inside and outside. And one thing I did want to emphasize is that um when a change in zoning is in effect because we've been talking about they want to do it—the change in zoning runs with the land, um so if I decided to buy the whole—I decided to buy this, I would be obligated to only those uses that were--if they were approved um allowed for this. So it's not as if someone could come in here and just do anything they wanted cause these potential uses will run with the land, not with--well not with a new owner. A new owner will have to abide by whatever is decided.

Mr. Spence: Right. Zoning is relatively permanent as you can see what we're doing right now—we're going through the big long process to change it. So if somebody ever did want to do a McDonald's here or something just horribly obnoxious, they would have to go through this same process all over again, it takes several years to do, gonna cost some hundreds of thousands. Um you know we have some questions right now about what's going on here but if somebody wanted to do something really bad, I mean you would have the whole town here. So um in my opinion, I'll just give you my opinion as a planner for more than 30 years what they want to do here is pretty mild as compared to other things that I've seen and ah been involved with. So anyway—um so...

Mr. Mardfin: (...inaudible...)

Mr. Spence: You're the Chair. I was going to ask you want to walk around first or do you want to go in the building or what does the group want to do?

Mr. Mardfin: I wanted to suggest—this is Ward Mardfin--I wanted to suggest that you take questions from the--at least from the Board Members.

Mr. Spence: Okay. Um, it is a site visit. I don't know if there's limitations on that...

Mr. Chris Nahulu Nunokawa: Yeah and so for site visits, ah questions need to be kept to fact finding questions, no deliberation type questions. Ah so it's strictly on the facts of the property, things that will help later on with deliberation. And please make sure if you are asking questions, the questions are on the ah record so that people can see what questions were asked later.

Mr. Spence: Right. Okay. Thank you.

Mr. Keiley: Chair? Matt Keiley--I'd like to just take a walk over here, I'd like to see the boundary--the makai boundary and also the alteration to this building here.

Mr. Spence: Right. Okay. So...

Mr. Keiley: In the previous meeting, it was also the neighbors were interested in and also stated a crosswalk.

Mr. Spence: Correct.

(Walking across the property—pause)

Mr. Spence: So let's get this on the record. So the property boundary the makai side you can see where the grass is mowed all along and it goes to the bottom of this embankment and so it basically goes from--it looks like a post but not quite--maybe a stump and then comes along here and out to the highway. So all the gingers and everything you see, those are all on this property. And so the shed there, that's permitted as a tool shed—that is on this property as well.

Mr. Mardfin: What about this?

Mr. Spence: Okay, so um Chair Mardfin was asking about what about the trailer. Um they're using that as like temporary office space. I'm not--I really don't know that much about it.

Mr. Mardfin: If they wanted to remove it, they'd be able to remove it?

Mr. Spence: Oh absolutely. And they want to remove it because this is going to be parking spaces right in here where this current trailer is. Um, I would also point out what we're standing on here—they've already installed a new septic system. The septic system is sized for a single bathroom—one toilet and one sink. So there's not multiple anything. It's sized for one toilet, one sink. This is the distribution box. Below here is the leach field. There will never be anything built on that leach field. That is pretty much in perpetuity. Um, there's just—you don't build buildings on your leach field and anybody who ever has lives to regret it. While we're at the back of this building—oh and okay, let me point—in the back of the wooden building, you can see the decomposing um corrugated—so this building really needs to be refurbished and that's part of the plan to do. Um if you were to look closer, you'd see termites of course, um you can see some spalling concrete. So this building really needs some help. It's planned to stay--this is just going to be storage and a little bit of office space I think for the hotel. Um--Mapuana, the gray house there is your house. Okay—so...

Mr. Mardfin: Will...

Mr. Spence: Yes...

Mr. Mardfin: Ward Mardfin again just following up on that neighboring property. Is there anything that would go from this building across toward their building.

Mr. Spence: No, there will not—okay so the back of this building here. This is going to stay in this location. So it's always gonna be just solid corrugated, there's no windows or anything, um there's an air conditioner. Um below that is the leach field. So there's never going to be anything projected towards um Mapuana's house.

Ms. Valerie Mapuana Kalaniopio-Cook: (...inaudible...)

Mr. Spence: I'm sorry.

Ms. Kalaniopio-Cook: I'm just saying, it's not only me. There's neighbors here. And there's neighbors over there too.

Mr. Spence: Right.

Ms. Dawn Lono: So basically all on this side is parking.

Mr. Spence: Yes.

Ms. Lono: So there would be no buildings, no structures, no anything; it's just basically going to be parking on this side, nothing on the makai side of the existing wooden building...

Mr. Spence: Correct.

Ms. Lono: ...will be built?

Mr. Spence: So this is the plot plan. And let me just say that we've already been through special management area review and building permits are in process. Um, right where we're standing is about right here at the top of the bank, um so parking's going to be right along here, ah there was some question about putting up a fence to block headlights and some noise—potential noise I should say. Yeah, so the trailer's going to be gone um...

Mr. Dean Wariner: Tool shed stays?

Mr. Spence: Tool shed stays.

Mr. Wariner: Is it considered historic?

Mr. Spence: I don't know. I'd have to look at the building permit. But I'm not sure. It's kinda cool looking. Got the little brackets under the eaves. Any more questions about this area?

Ms. Sharon Christin-Leimomi Myner: Is there parking here (...inaudible...)

Mr. Spence: No. Okay, the way that the County Code reads um if you have so many square feet of commercial you have to provide parking on site.

Ms. Myner: If somebody else came in and there's no parking, so would they park in the hotel parking lot? The reason why I'm asking this because I don't want to say (...inaudible...) when I was working under Mr. Dejetley when he was my manager. He doesn't want parking in the front where there's two cars on the road. He said it blocks the view of the hotel itself. Now you're going to have these cars would block this. You know what I'm saying. So when you come here the parking (...inaudible...) depends on what you're gonna do here. (...inaudible...) That's one thing cause I used to work at the hotel. It irritated me when I saw the cars on the side of the road.

Mr. Nunokawa: Sort of getting outside of the (...inaudible...)

Ms. Myner: Oh okay.

(?): Has nothing to do with...

Ms. Myner: No, I'm just asking okay. If they're going to park here or up there on the road, that's my question.

(...inaudible speaking...)

Mr. Spence: Why don't we just go—we can go around and circumnavigate.

(walking...pause)

Mr. Spence: So I'll wait until everybody gathers. I guess I should wait for Scotty. He's off exploring by himself.

(...inaudible...)

Mr. Spence: Yes.

Mr. Nunokawa: Yeah, technically the Committee Members need to stay in one group to keep quorum. So if we can just...

Mr. Spence: So again we're standing in front of the wooden storage warehouse building—um this is going to be refurbished as you can see. It needs to be refurbished. Um the only thing ah that's going to come off is this rough structure here on the end. Um you can see it's well constructed—it's steel beams and all um but that's going to be cut off and ah so that's the major thing. Otherwise it's gonna get a new face, a new corrugated, they're going to clean it up and make it look presentable. Right now I personally don't think it's horribly presentable.

Mr. Mardfin: Do you know what—this is Ward Mardfin—do you know what they're planning to use it for?

Mr. Spence: Storage and I said they have a little office in there. I believe so that's just gonna remain the use. It's gonna be for the hotel.

Mr. Mardfin: For the hotel?

Mr. Spence: Yes.

Mr. Wariner: For practicable purposes, this is what we're talking about.

Mr. Spence: Yes. That's correct. And that reference was for the historic building. So...

Mr. Mardfin: Will, may I ask you one more thing—Ward Mardfin again—may I ask you one more thing? While we're standing here. This road is part of Hana Highway.

Mr. Spence: That's correct.

Mr. Mardfin: It turns left there and goes down to the ah bay—Koala Bay. That looks kind of dangerous to me...

Mr. Spence: Okay.

Mr. Mardfin: ...and it always has. Um are there any plans for either restructuring that or pushing it off or putting up a fence or anything like that.

Mr. Spence: So, I'm not aware of any plans—if there are any plans to move it, that would be Department of Transportation. Right here this is still—um there's a little question about where State Department of Transportation ends and where County jurisdiction begins. Right down here incidentally is Piilani Highway just a few yards that way, interestingly enough. I'm not sure where the boundary is—Public Works isn't quite sure either. But this would probably be State DOT if they're going to do any changes or improvements here.

Mr. Wariner: There is a safety concern on that corner. Because it changes directions and with the amount of tourism we have, a car could easily get into a crash.

Mr. Spence: And yes and that was one of the things we discussed back in June and I have some documentation for that when we get into the meeting. So this is—we're standing in front of the—this is actually an addition onto the historic building um guesstimates of when it was added ah back in the 50's into the early 60's. We couldn't find any building permits for it, but there are um lots of references to it throughout other documents. This was in addition—everybody here is familiar since this is the old laundry building. This was all used for laundry. The--Jim who was one of the guys who works for the hotel, I always wondered—let's just walk in.

(Walking into the building—pause)

Mr. Spence: I always wondered why it's so dark in here and it looks like there was a fire, the walls are black—the cinder blocks are black in so many places. This was the room with the water heater for the rest of the laundry. And so it was right here in this corner and the hole there was for the exhaust. So this supplied the hot water. This room and whatever equipment in here and then into the laundry room itself. This piece here—I'm going to hand this out now. I have an architectural rendering. This room is 300 square feet as measured by um architects when we were doing—you want to hand them out?

Mr. Wollenhaupt: No, (...inaudible...)

(Passing out document—pause)

Mr. Spence: So when we were going to the Cultural Resources Commission to do the refurbishment of these buildings, one of the recommendations was to get a HABS Level 2, Historic America Building Survey drawings done. So what they did, the owners hired an architectural firm out of Oahu, Fung Associates and they came out and did very detailed drawings of this building. So the way that they measured it, it differs a little bit from Real Property Tax but this section right here is 300 square feet. And all--altogether with the next room, um it's going to be 1,045 square feet. Okay, any questions on this room?

Mr. Mardfin: Is there any—Ward Mardfin—is there any thought as to what this room, would be used for.

Mr. Spence: Not at this time. Um you know we're just--going through the zoning and then afterwards um they're going to solicit for um you know businesses to come in, within the confines of whatever zoning the Council passes. I'll say normally um a building—like the buildings in Makawao where my office is, they have the regular retail room and then they have a storage room/office. So this room honestly is not--you could make it attractive but I think it's probably better for storage and you know some bookkeeping—that kind of thing. As we're walking into the main building, the little room here is the bathroom, so this is going to be restored to working condition--a single toilet and a single sink.

Mr. Mardfin: That sort of means—Ward—that sort of means we're not going to use this for a bar.

Mr. Spence: That sort of means that.

Mr. Mardfin: Well with one bathroom, you're not going to turn it into a bar.

Mr. Spence: No. And one of the things that is being proposed and Corp Counsel can stop me if he'd like—one of the things what they're proposing, this will not be used as a restaurant or a bar or brew pub or anything like that. Um, one the obvious limitations on the restroom and the septic system, but that--it's just not what they're desiring to do. And we proposed specific limitations on the zoning to say that. So this is the main room. I think most everybody knows it as the laundry building. Um you can see where the washers and dryers used to be, um drains along the floor. Ah it's in a degraded condition, just the—you know the previous owners, Travaasa, um probably owners before that they just did not take care of this building. You can see where the mortar is coming away from the walls and crumbling. The, you know of course the windows are almost nonexistent. They've been termite eaten and are pretty much falling apart. The roof is in very poor condition. So the owners want to take care of this building. This is a part of Hana's heritage dating back to the late 1800's. So it's important that this be recognized and preserved. The interesting thing again working with Planning staff—historic staff, these two trusses here are supposed to be very rare and very seldom used so they are a unique feature of this building. And you know that wasn't recognized until we dug more into the history of the building. Um so it's very important that this maintain this kind of look um and the trusses remain exposed.

Mr. Wariner: Is that iron?

Mr. Spence: Yes. So the idea is, I'm not quite sure how they're going to be refinished but they need to be protected one way or another.

Mr. Wariner: Cause they look very sturdy.

Mr. Spence: Yeah, they've lasted a long time.

Mr. Keiley: How long?

Mr. Spence: Since--they think it was 1890 something when this building was built. So those are the original, the walls are original, but they do need help. And I gotta give the owners a credit when they first purchased the properties, they went ahead and started cleaning up this building—there were banyan trees growing on the walls which would have further destroyed the walls. Um you know and everybody remembers how much rubbish there was in the yard. And they cleaned that up pretty well. Any questions on this space? It's not a very big space. The architect measured this out at 745/746 square feet. Comparatively if you want something to compare it to the Ranch Store according to Real Property Tax is about 3,000 square feet, Hasegawa General Store is about 4,000—um if you know Makawao very well, my little office is right up above Viewpoints Gallery

that's ah pretty close to 3,000 square feet. So this is really relatively small. You're not going to have multiple tenants, you're not going to have big obnoxious things take place in here. It's not just big enough for those kinds of things. Um I know there's questions about what are the uses going to be—probably going to be some kind of retail. Probably that hasn't been decided yet, but no restaurants, no vacation rentals, none of the really nasty stuff.

Mr. Mardfin: When you refer to Hasegawa's, you're referring to the current Hasegawa's? The current Hasegawa's is the old theater.

Mr. Spence: That's correct.

Mr. Mardfin: Because Hasegawa's would be something very different.

Mr. Spence: Yeah, I'm very well aware of that.

Mr. Mardfin: I remember. I came to Hana in '61 ah when I was 17 and I remember this was being used for um doing laundry and the next year when I came out my neighbor was working there and she would give me a ride into town to Kipahulu. So I saw what was going on here.

Mr. Spence: Do um we want to walk out the front door and just take a quick look at the intersection? Because that was a question that came up.

(Walking out of building)

Mr. Spence: I'll wait for everybody. So there was a question back in June um about people crossing over from the hotel onto this property and asked please--I just promised we would investigate that ...

Mr. Nunokawa: I think ah we currently have to take a recess so we have quorum again.

Mr. Spence: Okay. Who did we lose?

Mr. Mardfin: Dean.

Mr. Nunokawa: He just walked out that way.

Mr. Keiley: Oh, Dean.

Mr. Spence: So we're going to wait here or are we just ...

Mr. Mardfin: I'm going to get him.

Mr. Keiley: He told me he was going to get his lunch.

(Inaudible talking)

C. ADJOURNMENT

Mr. Nunokawa: Yeah, we can adjourn because the meeting starts at 2. So we can adjourn.

Mr. Wollenhaupt: Now we lost Ward.

(...inaudible talking...)

Mr. Crawford: I'm the senior member who's still present, so meeting adjourned as of 1:52. Site visit adjourned.

There being no further discussion brought forward to the Committee, Mr. Crawford adjourned the Site Inspection Meeting at 1:52 p.m.

Respectfully Submitted by:

LINDA KIM
Secretary to Boards and Commissions I

RECORD OF ATTENDANCE – IN PERSON

PRESENT:

Scott Crawford
Ward Mardfin, Chair (left at 1:50 p.m.)
William Matthew Keiley
Dean Wariner (left at 1:48 p.m.)

Hana Advisory Committee
To the Maui Planning Commission
Notice of Public Meeting: Site Inspection
Minutes, September 28, 2023
Page 14

EXCUSED:

Mary Ann Kahana
Becky Lind, Vice-Chair

RECUSED:

Clayton Carvalho, Jr.

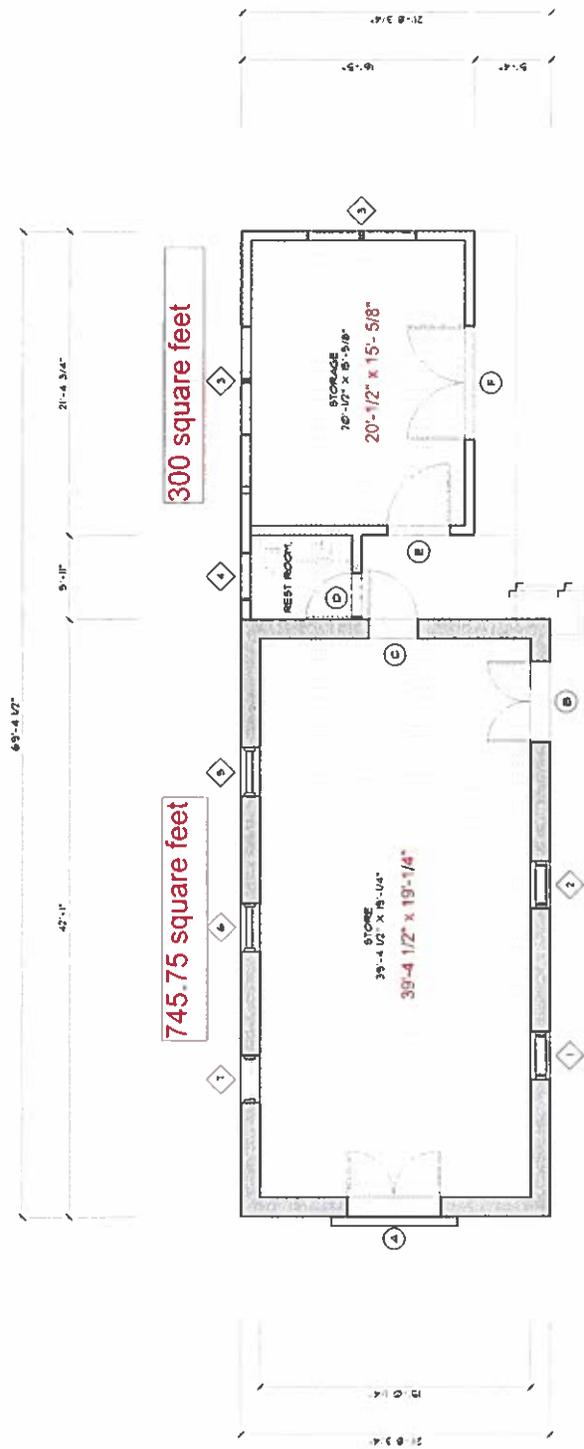
OTHERS:

Danny Dias, Supervising Planner, Current Division, Planning Department
Kurt Wollenhaupt, Planner, Current Division, Planning Department
Chris Nahulu Nunokawa, Deputy Corporation Counsel, Department of Corporation
Counsel
Linda Kim, Secretary to Boards and Commissions I, Current Division, Planning
Department

**Comparison on Proposed Zoning Limitations to Hana Store Storage Building Property, TMK 1-4-013:001
To HAC, August 10, 2023**

Normal Business Country Town Zoning	Applicant proposed limitations on zoning
<ol style="list-style-type: none"> 1. Amusement and recreational activities 2. Animal hospitals, including boarding 3. Art and music studios 4. Auditoriums, theaters, gymnasiums including fitness centers, private clubs and dance halls 5. Automobile services 6. Bed and breakfast homes, in lawfully existing single-family dwellings 7. Buildings and premises used, owned, or operated by government agencies, including community centers 8. Combinations of dwelling units with other permitted uses in the same building 9. Communication equipment and antennae 10. Day care facilities 11. Eating and drinking establishments 12. Educational institutions 13. Education, specialized 14. Farmer's markets 15. General merchandising 16. General office 17. Hardware, feed, and garden stores 18. Home occupations 19. Libraries 20. Multifamily dwellings, duplexes, and bungalow courts 21. Museums 22. Parking lots 23. Personal and business service 24. Pet shops 25. Recycling collection center 26. Redemption center 27. Religious, benevolent, or philanthropic societies, civic organizations, and quasi-public uses 28. Short-term rental homes, in lawfully existing single-family dwellings 29. Swap meet or open air market 30. Taxicab, car rental, and U-drive stations and offices 31. Warehouse facilities associated with a permitted use within the district 32. Other similar businesses or commercial enterprises or activities that are not detrimental to the welfare of the surrounding area 	<ol style="list-style-type: none"> 1. Amusement and recreational activities – w additional review HAC and MPC 2. Art and music studios 3. Eating and drinking establishments - w/additional review HAC and MPC 4. General merchandising 5. General office 6. Hardware, feed, and garden stores 7. Libraries 8. Museums 9. Parking lots - associated with permitted use or w/offsite parking permit 10. Warehouse facilities associated with a permitted use in the district or hotel 11. Other similar businesses or commercial enterprises or activities that are not detrimental to the welfare of the surrounding area or historic character – HAC and MPC

DELINEATED BY: K. LIU, I. PITTS, C. ZUNIGA, 2022



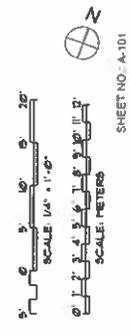
300 square feet

745.75 square feet

Total 1045 square feet

FLOOR PLAN
 SCALE: 1/8" = 1'-0"

- LEGEND**
- WALL TYPE 1 (CONCRETE)
 - STONE WALL
 - WALL TYPE 2 (CRU)
 - CONCRETE FLOOR
 - CONCRETE WALKWAY
 - STEP SYMBOL



SHEET NO. A-101



EXTERIOR ELEVATION KEY

IF REPRODUCED, PLEASE CREDIT HISTORIC AMERICAN ENGINEERING RECORD NATIONAL PARK SERVICE MAUI OR INTERIOR DEPT OF COMMERCE

From: [Nolly Yagin](#)
To: mauiwill@gmail.com
Cc: [Chico Rabara](#); [Wendy Taomoto](#)
Subject: Proposed crosswalk - Intersection of Keawa Place and Hana Highway
Date: Monday, August 7, 2023 4:29:57 PM
Attachments: [9 keawa RPT.pdf](#)

Hi Will,

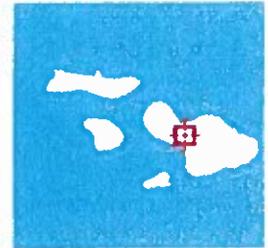
Thanks for the call and explaining this proposed crosswalk. Technically, an unmarked crossing exists at this intersection but if you folks want to pursue marking the crosswalk, my comments are as follows:

1. We would recommend that a crosswalk across Keawa Place be placed closer to Hana Highway as this is the location where it would be expected and be most visible to motorist approaching the intersection.
2. A crosswalk would trigger the requirement for an accessible landing and subject to review by the Hawaii Disabilities and Communications Access Board.
3. It would need to be confirmed but it appears that the HDOT's jurisdiction ends just south of the intersection. I'm not aware of where the actual ROW lines but this proposal may require involvement of HDOT's review.
4. ROW lines will need to be confirmed to ensure that there is enough room in the public ROW to construct an accessible landing.
5. Installation of a crosswalk will require changes to the existing striping as well so construction plans will need to be submitted. Your project consultant would also need to verify sight lines and distance to the crossing.

Thanks and let us know if any questions,
Nolly



Overview



Legend

-  Parcels
-  Roads

Parcel ID	140130010000	Situs/Physical Address	9 KEAWA PL	Assd Land Value	\$738,200	Last 2 Sales Date		Reason Involved		Qual
Acreage	0.4984	Mailing Address	MANI HANA RESORT (DE) LLC	Assd Building Value	\$62,200		9/27/2019	add'l parcels		U
Class	COMMERCIAL		9200 SUNSET BLVD STE 555 WEST HOLLYWOOD CA 90069	Total Assd Value	\$800,400		5/20/2010	n/a		U
				Exempt Value	\$0					
				Taxable Value	\$800,400					

Brief Tax Description LOT 1 HANA RANCH HOUSE LOTS SUBD FP 866 21,711 SF OR 0.498 AC

(Note: Not to be used on legal documents)

Date created: 8/7/2023
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**HANA ADVISORY COMMITTEE
TO THE MAUI PLANNING COMMISSION
SPECIAL MEETING
SEPTEMBER 28, 2023**

A. CALL TO ORDER

The special meeting of the Hana Advisory Committee (Committee) to the Maui Planning Commission was called to order by Mr. Ward Mardfin, Chair, at approximately 2:00 p.m., Thursday, September 28, 2023, at the Mother Alice Hall, Wananalua Congregation Church, located at 10 Hauoli Road, Hana, Island of Maui, Hawaii 96713.

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

Mr. Ward Mardfin: I'd like to close the site visit we had. The site visit is closed. We are now opening um--we are now on September 28th at 2 p.m. at Wananalua Congregation Church, Mother Alice Hall and in attendance are ah Scott Crawford.

Mr. Scott Crawford: Present

Mr. Mardfin: Mary Ann Kahana. Not yet.

Ms. Linda Kim: Not here.

Mr. Mardfin: Ah William Matthew Kei...

Mr. William Matthew Keiley: Keiley. Present.

Mr. Mardfin: Keiley, okay. Dean Wariner.

Mr. Dean Wariner: Here.

Mr. Mardfin: Ward Mardfin. That makes four which means we have um quorum. I have been requested to have people--the presentation given first ah to be followed by public testimony. So I shall do that unless there are objections.

Mr. Crawford: No.

Mr. Mardfin: Okay.

Mr. William Spence: So I'm on again.

Mr. Mardfin: You're on. Thank you for asking.

Ms. Kim: Excuse me Will, can you speak into the mic.

Mr. Spence: Okay.

Mr. Kurt Wollenhaupt: Is this working? Okay. I don't think that that's on. Is it working—there we go. Is it working—there we go. Working?

C. UNFINISHED BUSINESS (Action to be taken at conclusion)

- 1. MR. WILLIAM SPENCE on behalf of MANI HANA RESORT (DE), LLC is requesting a Change of Zoning for the Hana Store Storage Building (Old Laundry Building). The project is located on approximately 21,711 square feet of land located at 9 Keawa Place, Hana, Island of Maui at TMK: (2) 1-4-013:001 (ZPA2022-00001) (K. Wollenhaupt).**

The Public Hearing on this item was held on June 19, 2023. The Hana Advisory Committee deferred this item, recommending a site visit/meeting to follow. The site visit (1:00 p.m.)/meeting (2:00 p.m.) was scheduled for August 10, 2023, and was canceled on August 8, 2023 due to lack of quorum. It was rescheduled to September 28, 2023.

(The Committee is being requested to transmit its findings and recommendations on the subject application to the Maui Planning Commission.)

(As there were no objections by the Committee, the presentation, item C.1. was given first, followed by public testimony, item B.)

Mr. Mardfin: Will, ready to go?

Mr. Spence: I think so. Okay. Good afternoon committee members again my name is William Spence. I am the um owner representative for the consultant for this change of zoning, ah of their application to do that. And it was really good to see everybody on the site visit. We got to explain a lot of things that maybe people um you know at least I find when you actually go to a property, it makes a lot more sense when you actually see it rather than when you um you know just hear about it.

So I've handed out two things. Um one thing that when we left the site there's a—we were going to start talking about the um potential crosswalk right there across the road at that intersection with Hana Highway. And back in the June meeting we had you know that discussion on the crosswalk, the very following day I emailed the Public Works Director and he deferred it to his Deputy which is Wendy Taomoto and she deferred it to the Traffic Engineer who's Nolly Yagen and I didn't hear from Nolly for months. And I sent couple

reminders and then finally nothing and then finally he responded on August 7th, just before the fire unfortunately um, and he brought up these five issues. They--in summary you know it speaks for itself—um in summary, they're fine with the crosswalk there, they'll work with us. They're not quite sure exactly where the State property ends and the County property begins um but they're you know, they're open to discussing it. They think on the back of that email I did just a really quick little sketch where an intersection or a crosswalk could be and he said ah, no we would rather it be closer to Hana Highway because the visibility is better. And I said that's perfectly fine with us, so we're very willing to go ahead and work with the County and work with the State and um design a crosswalk that can go there. If that's you know ultimately the will of this body and of the Planning Commission.

Ah the second thing that I handed out was a sheet with two columns and a little highlight at the top. And this has also been handed out to the public and what I thought to do because it's visually a lot easier to see what we're proposing to do. On the left side you know when you have a property with certain zoning say public quasi public for you know here at Wananalua Church or you know up at the Ranch Store wherever, you know everybody has some kind of zoning and with each of those zoning districts there's a long list of permitted uses. Things that you can do without having to ask permission. There are things that--and then there's a couple of things you know that you do have to ask additional things for but so on this paper, the left column is the normal Business Country Town zoning. Um this items 1 through 32 are the normal uses you can do listed in that zoning district. We looked at this district, we looked at all these uses and we went this is not appropriate either for this site and it's not appropriate for Hana, and so we wittled it down to okay what could be—um what would be okay on that property that um is low impact, um still allows for you know productive use of the property but just isn't going to have an impact on the community.

So we went down and we lowered those 32 things down to potentially 11. And even a couple of those we said um this would be okay if it goes back to the community, like amusement and recreational activities. That's with additional review by the Hana Advisory Committee and the Maui Planning Commission. Eating and drinking establishments with additional review of the Hana Advisory Committee and the Maui Planning Commission. But then there's things that could be done there as of right. You know we've discussed ah art studios or art galleries, ah general merchandising which is just a retail store, general office, any kind of office use, hardware feed, garden stores, library, seems like a good use for a historic building museum—same thing, parking lots if it's associated with some other permitted use um or with an off-site parking permit, warehouse facilities for ah an associated permitted use within the district. Basically, the green building that needs to be refurbished, that's what this covers--storage, warehousing for the hotel. And then other similar, we have a catch-all at the end. Other similar

businesses or commercial enterprises or activities that are not detrimental to the welfare of the surrounding area or historic character with the approval of the Hana Advisory Committee and the Maui Planning Commission. So and then we included that catch-all normally at the end of so many zoning districts, there's something that says the Planning Director can approve it or the Maui Planning Commission can approve it. There's always something that you don't dream of as a permitted use. Um David Blaine, Planning Director, eons ago, he goes what if somebody wants to open up a skate board repair shop. That's not one of the permitted uses. So you know, but what does it fall under. Well you know maybe the Planning Director should decide if that's okay or not. Here, we're saying there could be other uses sometime in the future, but they gotta come back to you and they gotta come back to the Maui Planning Commission.

So we approached this very very carefully and with the community in mind and you know I sent out four different letters to everybody in 500 feet and took calls, discussed things with some people of course some people didn't respond. Um but we were looking for that input and we did get some—I'm sure your testimony today the—but we really did approach this with the character, with the historic significance of that property and being a very low-key kind of operation.

I'll add one more thing um I know the thought of retail going in ah next to somebody, you know it sounds like an intense use. It's really not. I, you know I live and work--well I work in Makawao, live in Pukalani, um I go up and down Baldwin Avenue Makawao Avenue every single day. The busiest enterprises, the busiest businesses in town are restaurants. The second busiest ah businesses are general stores, like Rodeo General or um Komoda's. Those are the busiest things. We're not going to do restaurants. We're specifically saying this shouldn't be unless the community you know reviews it more. We're not going to do a general store. Hotel owners are beyond the store up the hill—they're not going to open up a competitor and I mean that's just—that's just plain business. They're not going to. What they really want to do is some other kind of retail, whether it's you know whether it's clothing, an art studio, um art gallery, whether it's general office. Any of these 10 or 11 things on this list. So when I go into any of the retail stores on Makawao. The most I see is 3 or 4 people. When I go into Viewpoint's Gallery, that's more than 2,000 square feet, I see 3 or 4 people. It's just not a huge use but it needs to be the owner's are looking for a beneficial use of this property. So with that um if there's any questions for me of course I'm available. Um and I'm sure people are going to want to testify.

(...inaudible speaking...)

Mr. Mardfin: I'm going to ask first for Board Members who have any questions. Matt?

Mr. Keiley: I'm good.

Mr. Mardfin: Scott?

Mr. Crawford: Not right now.

Mr. Mardfin: Heh heh, well I guess I don't have any either. Let's go to the audience. Yes, thank you.

B. PUBLIC TESTIMONY

Ms. Kari Hagedorn: I have a question.

(...inaudible speaking...)

Mr. Mardfin: Please.

Ms. Hagedorn: Part of my testimony is a question.

(...inaudible speaking...)

Ms. Hagedorn: Hello everyone. This is fine, right? Okay. I'm Kari Hagedorn. Ah I know most of you, some of you...

Mr. Mardfin: Excuse me. Excuse me. Are you asking a question or are you giving testimony?

Ms. Hagedorn: ...haven't met. I would like to ask a question.

Mr. Mardfin: That's not normally the way things are done. The way things are normally done is you give testimony about the way you believe something should be.

Ms. Hagedorn: I would like to do that as well. When is the time that I can ask a question?

Mr. Mardfin: There isn't any.

Ms. Hagedorn: Oh, I thought you just asked. Oh, you were asking them if they had questions. Yeah.

Mr. Mardfin: Go ahead—you want to make some testimony?

Ms. Hagedorn: Yes, but I really like to know the answer to the questions. That's all...

Mr. Mardfin: You know what you might do is ask and give testimony in which you ask question and you ask if one of the Board Members would want to make a question in your place. When I was on the Maui Board, I did things that way.

Ms. Hagedorn: Okay got it.

Mr. Mardfin: Some of my fellow Board Members weren't thrilled by that technique but it worked.

Ms. Hagedorn: I'll figure out the answer to my question. But ah I would like to provide testimony.

Mr. Mardfin: Please do. What's your name.

Ms. Hagedorn: Um my name is Kari Hagedorn. I run the farmer's market in town. I work at Mahele Farm, um I serve on the Board of Hana Arts and ah just an active community person here in Hana.

Mr. Mardfin: Go for it.

Ms. Hagedorn: And ah I've seen the building being cleaned up for over a decade. Well I guess may be only like within the last three years or something like that or a little bit more, but it's a beautiful building located in our town and I would love to see this building be revitalized and accessible for community use so my testifying is that I am for this building being renovated under the use circumstances giving the opportunity for someone to present a business of this nature for the entire community to benefit from.

Mr. Mardfin: Are you referring by this—this...

Ms. Hagedorn: The list here.

Mr. Mardfin: The list on the left-hand side.

Ms. Hagedorn: The right-hand side. Right? This is the list that's been approved.

Mr. Mardfin: No, nothing's been approved yet. This is things that are being suggested to be approved.

Ms. Hagedorn: Got it.

Mr. Mardfin: Are there any in particular that you're in favor of?

Ms. Hagedorn: These are dependent on my questions? But yes. I am in favor of your list that you guys have prepared here. I believe there are other uses on the left-hand side of the list that could be beneficial as well to the community but um seems like I've missed a couple of meetings so far, so...

Mr. Mardfin: You haven't actually missed any real meetings.

Ms. Hagedorn: Ok.

Mr. Mardfin: This is what the planners for the property are thinking about as their options.

Ms. Hagedorn: Great, well in the best interest of the community I think this is a good list, services that are on the left side of the page that the community doesn't have right now including veterinarian services and automotive services, I think would be beneficial to everyone that lives in East Maui if there was a location—not necessarily this location but um so I don't know how it was determined these top 11, but I agree with the top 11.

Mr. Mardfin: Okay.

Ms. Hagedorn: And I just wanted to put in my testimony that I believe that we should change the zoning to accommodate these options ...

Mr. Mardfin: That's exactly what the planners and the owners are thinking about doing.

Ms. Hagedorn: Yes. So this is my testimony to support that.

Mr. Mardfin: Thank you very much.

Ms. Hagedorn: That's what I'm here for. Okay. Thank you.

Mr. Mardfin: Is there anybody else who would like to give testimony? Mapuana, you may go. Are you getting up to go—to give testimony?

(...inaudible speaking...)

Mr. Mardfin: Um do you have any--would you be willing to answer questions from any Board Member?

Ms. Hagedorn: I can answer questions. I would. Yes.

Mr. Mardfin: They have questions for you to answer.

Ms. Hagedorn: Yes, I'll answer questions.

Mr. Crawford: I would just like to ask you as part of your testimony to share what questions you would like to have answered.

Ms. Hagedorn: Yes, I would like to have answered um the parameters for water ah in this facility. Um I see that eating and drinking establishments are listed on here; however, we have as community, um it's been vocalized that a restaurant isn't something that we are moving towards, however, I see it still listed on here. Um also the sink ah in the--during the inspection, I understood that you can have one bathroom and one sink and I just wanted--my question is clarification on that sink and if there's particulars to what size that one sink is and if there is a option for a cleaning sink which would be for any business that you have you would want some sort of industrial sink for cleaning and keeping that building well maintained. So I'm just wondering what is the—yeah, how would that work. How would you have a cleaning sink for the building. That was my main question. Thank you.

Mr. Crawford: Okay. Thank you.

Mr. Mardfin: Will, would you be...

(...inaudible speaking...)

Mr. Mardfin: Is there anybody else who would like to give testimony?

Ms. Valerie Kalaniopio-Cook: Aloha Community Members and Chair Ward Mardfin. My name is Valerie Kalaniopio-Cook and I'm here to testify on behalf of the proposed um conditional change of zoning that um the applicant wants to do. I am here and I'm going into details on why I think that you should deny this application. Um, I attended the June 19th um meeting and ah I submitted written testimony and um there were so many questions at that time, and we are only allowed three minutes to testify with 30 seconds to wrap, so I'm going to try to do that really quickly and try to feature kind of the thrust of testimony—people testimony. Because everything is documented in my testimony and also other members of my neighborhood provided you written testimony. And I want you to take into consideration their words and their voices as well.

So I'm a native born lifelong resident of Hana and our property is located at Hana Ranch House Lot 24. It is on 16 Keanini Drive, Keokeo, 14013024. It is the back part of the property between Uncle John Kimbao which we saw today and Lambert Castro's property. It is kitty corner to the Hana Store Storage Building. So four generations have lived on this property. We've been living there since 1960—that's 63 years and I want to point out. This is the people aspect of what you, County, the Committee here, the Planners, the owners are driving to get this zoning approved. You have the authority to make that decision whether it's yay or nay. It's um important to consider people's thoughts and feelings and um consider also that their livelihood and lifestyle can be affected if certain things aren't done properly. And one of the things is a community meeting that we never had officially to explain to us in a town hall meeting, what is really going on and what do you really want to do. So that is community dialogue—active community dialogue. An active community understanding that really wasn't done. And I don't call Council Member Sinenci's town hall meeting a community meeting.

Um the Community Plan is outdated—it's 29 years old. Yes, it's designated Business Commercial—I think that's inaccurate. There's been so many things that's been going on in our communities that we haven't even discussed some of those things and we need to change them. We need to be wary of future development, more so, we need to be wary about what over tourism is doing to our community, we need to have active discussions about what we can and should and shouldn't be doing. We haven't done any of that. We don't have a Community Plan and I found out that we're not going to do it in maybe two or three more years. That's frightening. There's also been a request to do an EA. I think that that process allows us to understand it—dive in deeper into what—the hotel really wants to do. I think if we had a community town hall meeting early on, this wouldn't have happened. But now we're here and I'm asking that you consider that. Um also, there's been past practices and past experiences.

Ms. Kim: Three minutes.

Ms. Kalaniopio-Cook: I'll wrap up in thirty seconds. Um there's been past practices that when the hotel sells, everything goes, property taxes, there's a little teeny tiny neighborhood right over there on the corner. This company owns tons of land—Hana Ranch—tons of land. Why can't you find someplace else to put it. I agree you should do a facelift that it needs to be redone. But Commercial--Business Commercial is leery, it's crazy, it's uncomfortable and I don't feel good about it. I would like to also say ...

Ms. Kim: Three minutes and thirty seconds.

Ms. Kalaniopio-Cook: Okay. Thank you. So I would suggest that you leave the zoning as Urban Reserve. There must have been a reason why the County at that time decided

that's what we want Hana to have and that's the way it should be. So I'm asking the Hana Advisory Committee members take the time to consider, voices of the community. You know you said earlier that a lot of people are not here either it's not important because you decided to have this meeting in one week. A lot of people wanted to fly from Honolulu—they couldn't come. My neighbors and the sentimental my neighbor, be strong, be wise, be conscientious. Leave with aloha, aina and mind and heart. Thank you.

Mr. Mardfin: Thank you.

Ms. Kalaniopio-Cook: Your welcome.

Mr. Crawford: Thank you. Can I ask a couple questions?

Ms. Kalaniopio-Cook: Yeah.

Mr. Crawford: Um first off I just want to clarify one thing ...

Ms. Kalaniopio-Cook: Okay.

Mr. Crawford: Is that we have, um we're only Advisory, so we have the authority to recommend. We don't have the authority to actually make any decisions, you know so—we're advisory only. So—to that extent, just to you know, just to clarify our role.

Ms. Kalaniopio-Cook: Yeah, I'm aware of that that you're only an Advisory Board or an Advisory Committee to the Planning Commission—it's been like that forever, it should probably be changed. But you know it is what it is and county people that are here, take that into consideration. Don't just take the fact that you're here as a planner and whatever whatever. There's communication, there's political realities, I mean it is what it is. But we are affected by little small little communities. Anytime you make a teeny tiny decision, government runs quickly, and we end up living with it over here.

Mr. Crawford: And hopefully they take our advice and recommendations seriously even though we are only advisory and you can use that as the voice of the Hana community. That's the role that we have to play. So I have a question for you though specifically.

Ms. Kalaniopio-Cook: Okay.

Mr. Crawford: Um you know you did mention that you would like to see a facelift and that you would like to see the building restored. Um and I wondered if there are certain uses listed in this applicant proposal that you feel would be appropriate or wouldn't be

appropriate if you'd be willing to you know be anymore specific about what you would be okay with or what you would object to that might be listed here.

Ms. Kalaniopio-Cook: Yeah there are probably couple of things that popped up in my mind and there are some things that I have been thinking about prior to seeing that list and I had also seen it on the um previous documents that William had, so um I was really thinking about what we're actually doing now and where we could find spaces to do it. And I like the idea that Kari mentioned about community having to be able to um support being able to use it or be able to support the hotel by doing that. It's a commercial thing in my brain that I can't get out of my mind and when you just speak about retail as just---oh, we'd just do retail. It's just a small little thing but there's a lot of people say that in this community. Now retail is big, so and I'm saying that because this is a teeny tiny neighborhood right over there. If it was in the Town Center area, okay yeah, let's go and do that. But this is in a small area on Keawe and Keanini um well I'll just say it. I originally thought that the um museum, the Hana Cultural Center should be over there. I also like the idea of the farmer's market over there. But you know it's not only my words. There's other people too, but anything you have over there is like---okay. Now there's a dollar somewhere, that's going to have to come and go. If the transaction is going to have to take place, so let's change the zoning and that's what's really difficult. And I don't know that the County has um processes in place or how we can um grandfather or think of ways that we could just preserve and protect places like that in Hana, places like this in Maui. I don't know but of course maybe we need to talk about that. That's it.

Mr. Crawford: Okay, yeah that's helpful. Thank you.

Ms. Kalaniopio-Cook: Thank you, Scott.

Mr. Mardfin: Is there anyone--go ahead.

(...inaudible speaking...)

Mr. Keiley: Mapuana, you mentioned the ah farmer's market. I mean I like that idea but I don't think there's actually enough space there.

Ms. Kalaniopio-Cook: Yeah (...inaudible...)

Mr. Keiley: You know what I'm saying? Yeah.

Ms. Kalaniopio-Cook: I understand that but I thought about it in concept you know---way beyond what it is today. It's grown over three or four years ...

Mr. Keiley: Wait—how about the hardware and garden store.

Ms. Kalaniopio-Cook: Well you know ...

Mr. Keiley: I mean, I'm just looking at it from a—I mean these people—well okay, down the line. These people want to renovate the building...

Ms. Kalaniopio-Cook: Right.

Mr. Keiley: They have to get something back. That would be good. I think that would be a good use.

Ms. Kalaniopio-Cook: Yeah, I think more real men in this community that rely on property maintenance and auto mechanics and things like that, I think they would have a better thing. But I do know that my husband said the other day that Hasegawa's is not keeping up with their inventory. So he's not able to do that. I don't know—I think that—I don't know the answer to that.

Mr. Keiley: I don't want to speak to that right now.

Ms. Kalaniopio-Cook: But I would like to say that you know I'm more in means of food—food, supply and um culture and history. I think that that's something we need to bring forward. Because everybody that comes to Hana, and you know we're not Makawao, we're Hana. So everybody who comes here will stop. They'll stop at the hotel, they'll stop at the market—we know that. We see that at 3:00—it's bombarded and everybody's frustrated because there's no traffic but the thing is is that we need to honor those things.

Mr. Keiley: As a neighbor—you know an adjacent neighbor.

Ms. Kalaniopio-Cook: Okay.

Mr. Keiley: I would imagine that you would want something that's the least impact to yourself...

Ms. Kalaniopio-Cook: Yeah.

Mr. Keiley: You know what I'm saying?

Ms. Kalaniopio-Cook: Well, we don't like loud noise...

Mr. Keiley: Yeah, I agree with you there.

Ms. Kalaniopio-Cook: It's an elderly community, it's a...

Mr. Keiley: Mostly retirees.

Ms. Kalaniopio-Cook: Yeah and you know it's—everybody is you know pretty mellow. But you know I hear everything from the neighbors down the street and the hotel and they have their thing. And it's okay but I'm just saying is that um the specific area needs to be—it needs a facelift but it needs

Mr. Keiley: So general office would be good. Right? It's low impact.

Ms. Kalaniopio-Cook: I've never seen a general use like that before--I mean I used to work there 20 years in that building. Thank you.

Mr. Mardfin: Thank you. Is there anybody else who would like to give testimony?

Ms. Sharon Christin-Leimomi Myner: Aloha, I am Sharon Christin-Leimomi Myner. I was born and raised in Hana and I'm gonna make my thing real short. I have someone with me right now spiritually. I only can speak for what they want us to do here. Okay, Hana, Hawaii. This is the last Hawaiian place on all the islands. Most of the islands, we got Lanai—it's like us. Okay? All the beautiful islands the way it is. When we put--want to renovate a building, put something that is most Hawaiian—how about a Hawaiian museum, how about a library that speaks about Hawaii instead of other things that they bring into us that we don't need. When they come here, we are--it's our time to share—it's all about sharing. If somebody has work to do here and define it so important, let them go into the building what you spoke about and I agree with you.

This is a blessed town. I have a kupuna that's buried under that banyan tree and I heard earlier somebody was saying putting banyan trees on walls. You're going to have to understand what is the true meaning of the banyan trees. Take a look at the one in Lahaina. There's things that I've seen visible there three days before these things had happened. I was taught by this Japanese boy that came and spent time at the hotel and my husband and I was spending time there. And I like to look out at nature—why is so many things planted out here naturally. It's because this is God's time to give us our food. Yes, it's awesome. People that plant all the food they have been given a gift from our heavenly father in heaven. My work here is to share what I believe in because when I do, I see things visibly before Lahaina was destroyed. I've seen it three days, November 27, 2020, I've seen what happened there. It can happen anywhere. If we don't do good in our little town here, it can be affected. Let's call that a Hawaiian flu. Hawaiian flu is not happy to be upon—what God has given me these words: respect,

have full faith in Him. When any buildings are renovated doing whatever when you walk on that land before you do anything you want to do, get someone to come and bless that area. If the person is still alive in Hana today, let them come. I already did it to our fishpond down at Haneoo where Mokuula is connected to our family too. Kihawahine is connected to my family. Kamehameha the Great #1, he's my great great great grandfather. So I'm speaking for him today. I do talk to them a lot and they tell me the simple words what to do to share with my people. I'm a fighter for my people. When you have many people who come from across the ocean, not here, far away--come here they take away everything from us and that's why we get destroyed one by one by one and I'm telling you folks right now, we're gonna have to be faithful to God. He's the one that has given us everything what we have in our islands. Every islands have a reason to be here but I'm thankful that people ...

Ms. Kim: Three minutes. Sorry.

Ms. Mynar: This is what I don't believe in when you folks give us three minutes to speak because when we were born, God didn't tell my parents it takes me three minutes. I don't believe in your ways, you tell us how to run our place, about how we have to speak. All the important things we want to speak, we cannot bring it out because you said three minutes. Three minutes—that's not our number. God is the one who is the Kingdom for all of us. Don't say three minutes—you say it to him, he's watching all of us. So you are who you are, I am who I am. Mahalo.

Mr. Mardfin: Are there any questions?

(...inaudible speaking...)

Ms. Kim: Please speak in the mic please.

Mr. Mardfin: Would anybody else like to speak?

Ms. Lipoa Kahaleuahi: Aloha everybody. My name is Lipoa Kahaualahi, Hana community member, um it's nice to see everybody and not to be over there on that side this time. Um I had just a question um I believe for Mr. William Spence and I'm sorry that I missed the presentation. Is that you?

Mr. Spence: That's me.

Ms. Kahaleuahi: Okay.

Mr. Spence: Ask them and they will ask me.

Ms. Kahaleuahi: Ask them--I should know that. Um so what are or what were or what has been the data or statistics that are pushing um this potential renovation. Are there visitor statistics um or other that may be encouraging a renovation.

Mr. Mardfin: Let me partially answer that. Um they haven't given us any statistics or anything. The people that own the place are thinking about what to do with the place. They had thought about um a list of 32 people ...

Ms. Kahaleuahi: Right. 32 projects...

Mr. Mardfin: 32 things that could be done...

Ms. Kahaleuahi: Right.

Mr. Mardfin: But that doesn't make sense for Hana. You know we're much too small a place. We have much too many other considerations. They cut it by more than half.

(...inaudible speaking...)

Ms. Kahaleuahi: I do have those. Thank you, Ward.

Mr. Mardfin: My mistake.

Ms. Kahaleuahi: No, that's okay.

Mr. Crawford: Can I ask a question just to clarify. I guess, what is it that you're—what is it that you're trying to get at in asking that question in terms of statistics. What's the purpose for wanting to know that and you know do you have any—what would that mean to you to get a certain answer regarding that.

Ms. Kahaleuahi: Um I guess just what population are we trying to serve right and even with this list of 11 um which still varies, right. So just trying to get some background or maybe some context um toward...

Mr. Crawford: So like it would make a difference to you on the use if it was serving the local Hana population as opposed to serving a visitor population? Is that ...

Ms. Kahaleuahi: Or a combination of both recognizing you know I think some of our current events over the last three years. Kind of what um—yeah to what scale are we hoping to reach um if we're looking at it—yeah I mean I have my observations I guess.

But um so are you looking at you know pre-Covid numbers of visitors to um continue to grow businesses for um or post-Covid numbers which are still you know up in the air still being still rolling out given--yeah especially right now given the most recent events with the fire so um that's the context behind my question.

Mr. Crawford: Okay, that's helpful. Thank you.

Ms. Kahaleuahi: Sorry. Um yeah and I think for our Hana community um you know even though this list from 30--over 30 to 11 has--is quite a decrease and a narrower focus, um I think there's still gonna be alarm um to the range of project ideas um and hoping that through this process of course the community can continue to be informed of those focuses of those projects as they continue to narrow.

Mr. Crawford: Can I clarify that a little bit further? Which um—which items do you think would cause alarm.

Ms. Kahaleuahi: Um. I mean eating/drinking establishments, um depending, right? Ah amusement and recreational activities again depending. Um yeah other similar businesses or commercial enterprises, of course that's a little broad. So I think those broader you know scopes are going to cause some questioning, given the greater number already of food trucks and other establishments also on the rise so again kind of thinking which um—what kind of numbers are we trying to um either go back to or you know in our already small community. What's that balance.

Mr. Keiley: I thought I'd mention that they're going to come up for review again if they choose to do those.

Ms. Kahaleuahi: Yeah, totally. I see that as well.

Mr. Keiley: Are you looking as it would hurt the existing community if they did something along that lines, you mentioned food trucks...

Ms. Kahaleuahi: Would it hurt the existing community...

Mr. Keiley: Kind of local business I mean versus a corporation from the Mainland.

Ms. Kahaleuahi: Um—okay, can you say that again?

Mr. Keiley: Well these corporations from the mainland...

Ms. Kahaleuahi: Correct.

Mr. Keiley: ...West Hollywood California that is. So versus you know um one of your family members.

Ms. Kahaleuahi: Um well I do think our community is gonna discover another I don't know what, I don't know what to call it. But another turning point, another informative point as far as what's the number of visitors as well as you know on island residents or Hawaii residents visiting Hana that we can ah sustainably um both rely on for small businesses as well as live with um that's obviously a big discussion right now. Um I would also – you know I think that goes for local businesses owned by people from here as well as outside corporations. Of course, I am a proponent of more local owned businesses. Um I recognize that this could potentially provide steady you know employment to our own people. Um but I think no matter what there's always that balance and so do we—and then what are those numbers that we're trying to sustain. You know is it I'm forgetting what was pre-Covid, right—are we trying to go back there um or chart a new path. And so, yeah just question, that's all. Thank you.

(...inaudible speaking...)

Mr. Wariner: Would you be interested in seeing this building ah become a community use building?

Ms. Kahaleuahi: Sure. Again for the purpose for the purpose of what. And it could be could be anyone of these. The laundromat is still in need....

Mr. Wariner: I asked that because at present we have nothing like that. The community use building that we had is closed. And nobody knows when it's going to be reopened.

Ms. Kahaleuahi: Definitely, definitely. But how does that make money, right? That's going to be their question. So striking that balance.

Mr. Wariner: All things don't make money.

Ms. Kahaleuahi: Yeah. So definitely recognize as well, that you know it would be great to see it put to use. Um and I didn't come here with a solution but um yeah just a question. Mahalo.

Mr. Mardfin: Thank you. Would anybody else like to make any testimony? Um.

(...inaudible speaking...)

Mr. Mardfin: Ah. Yes, please. Go on.

Ms. Dawn Lono: Aloha, my name is Dawn Lono. I didn't come prepared to testify but just having gone on a site visit and hearing a presentation and getting information. Just wanted a couple of comments I wanted to make. Excuse me. Um you know, I think something needs to be done to this historic building--to restore it and to utilize it in our community. Whether community use is actually something that's realistic, I'm not sure. The Hall—Helene Hall is going to be opening in October is my understanding from the Parks Department. Just to throw that out at you. But um you know something like the art gallery that they have at the hotel. Having an art gallery, it's a privately-owned business that is leased and is--it supports local residents and employees and so forth and artists and artisans and it also has some cultural support in our arts within it that is promoted there. So I'm not sure about the music studio part though that concerned me a little bit. Music, noise—I don't know if you would make it sound proof if you did a music studio or what but that one—other than that I think most of the things on this list are pretty reasonable and it just seems to me that that building has been sitting there for how many years now just dormant. And to utilize it for some good within our community that is reasonable that is not going to create a bunch of noise and a bunch of havoc for the neighbors and the residents. Um I really believe that something needs to happen there and I think this is a reasonable list and if we are careful about how we put and what conditions we put on this rezoning. Cause you have the power to recommend you know the conditions to the Planning Commission on this zoning and if you're very cognizant and thorough and narrow it down to something similar to here then that could definitely work and I would certainly support that.

I appreciate the Hana Advisory Committee having come together to discuss this several—you know this our I think second meeting on this topic community meeting. And that's what the Hana Advisory Committee is for, is to be a venue for our community to hear these proposals and these kinds of things that's what--that's what it's here for and unfortunately there's not a whole lot of representation here from our community. However, one thing about that having it at 2:00 in the afternoon is a little bit difficult cause many many people are working. So that's a ying and yang. But anyway I just wanted to support the Hana Advisory Committee and I appreciate you guys, thank you so much for showing up and thank you for listening. Mahalo.

Mr. Crawford: One question real quick. Um just in terms of conditions or you know recommended conditions other than the limitations that are listed here is there anything else that you think would be um that would be useful as you know and I'm not sure if there's a um I think maybe it was in our previous packet but the list of conditions that might be ah included....

Ms. Lono: Yeah, it's probably in your recommendations...

Mr. Crawford: ...But yeah, just wondering is there anything else other than this list that you think would be ...

Ms. Lono: Not really, I can't really think of anything. I know there are concerns about the crosswalk. And that concerns me as well. And if there's a way to find a safe crosswalk crossing in that area, I think it's like pretty important to do that. Um It's a complex little intersection right there. So I hear that as a concern that possibly needs to be addressed very seriously and with some professional people that can figure it out. Um and like I said the music studio um take that one out. When you brought up about the road when we were at the site visit, I mean that road has been there for how long and I guess I know I'm not supposed to ask questions but I don't know what you would propose, I mean moving the road or there's just so much along that area and there are plenty of other places that have roads that go by. I don't know I'm just a little concerned about that concern. So sharing that with you.

Mr. Crawford: Thank you.

Ms. Lono: Thank you.

Mr. Mardfin: Will, I wanted to ask you a couple questions.

(...inaudible speaking...)

Mr. Mardfin: Say that again?

Ms. Hagedorn: Are we able to ask the Advisory Committee other questions?

(...inaudible speaking...)

Mr. Mardfin: What is it that you'd like to have asked?

(...inaudible multiple speaking...)

Ms. Kim: Please speak in the mic please.

Mr. Mardfin: Yes.

Ms. Hagedorn: I think I can speak for myself and probably others, that I'm here today because I need more information. I need information about this project about what's—where—how this has all been developed so far you know, until I moved further along in this meeting and was able to hear other testimonies, that was really helpful for me to understand where everyone is kinda coming from but um like this I was under the impression that the Advisory Committee already did this. But I understand that it is the Mani Brothers that have created this list. That's more clear to me now. And so some of the things that are over on this side, I am interested—things like how they came up with the list on the right side. Yeah was there data collected to come up with that or was it just this is what we think even though we don't live in Hana at all. This is what we're feeling are the top 11 choices. Where maybe there's something like educational institutions, which I don't know—that's a really broad sort of thing. But you know why is that on the left side and not on the right side. Why was there a choice to not have educational institutions and there's other things over here too. Yeah just wondering more how this was developed to get to this point.

(...inaudible speaking...)

Mr. Mardfin: Public testimony is closed.

(...inaudible speaking...)

Mr. Mardfin: Would anybody else like to speak aside from Will? Then I'm going to close testimony. I'm going to also ask a question of Will.

Mr. Spence: It sounds like you might have several questions for me.

Mr. Mardfin: I might very well have several questions.

Mr. Crawford: Point of order, in terms of the agenda, we are now moving into C. Unfinished Business, action to be taken at conclusion, so now we're at the point of deliberating on potential action um by the members. So now's the time where we can ask questions of the Director or of the Department for guidance or of the Planner or of the Applicant. Yes, yes.

Mr. Spence: Okay.

Mr. Mardfin: My question. Is something—I've been thinking about a couple things here. What I've been thinking about this roadway that I think you have in red, cause it strikes me fairly low on the road. I'd like to discuss that. The second thing I'd like to think about is have your clients given any thought to whether they would like this to be a facility that

would be open during the day time when there might be visitors coming to Hana or whether they be open during the evening when there would be local people that might want to do something or other depending on what it is. Have they given any thought to either of those options?

Mr. Spence: Okay. The first one with regards to that that illustration in the map that I had sent to Nolly Yagin, it was part of that email that I sent to him; it shows two little red lines um across that intersection. Okay. That was and I'm not a traffic engineer, I'm not an engineer at all so I put two lines on a map and I wanted Nolly to react to it. I wanted a real engineer to react to it um and tell me what do you think of this...

Mr. Mardfin: Okay.

Mr. Spence: And so he came back and said and I'm not saying, I've never suggested this is where it should go. I just said we need an intersection there or a crosswalk there um and I put two lines on the illustration. Okay, he came back with the response—it should be closer to Hana Highway cause visibility is better. Um and he also said and I didn't get to the part when we were on the site visit, it needs a landing. It needs a place for the crosswalk to terminate on subject property so just you know the landing would be you know just a square piece of concrete or little walkway or something—where someplace where the crosswalk ends up.

Mr. Wariner: Wouldn't it have to have it on each end?

Mr. Spence: Yes, it would, it would—there's are all kinds of regulations on proper design of crosswalks. Yeah and we would have to ah comply with all of that.

Mr. Mardfin: I'm just going to mention—I'm not looking for comment on this. That if you move those two red lines to the left, they would be higher—they would intersect higher on the triangle and they would be more visible from both Hana Highway coming down and the main Hana Road going through going right, and they'd be also more visible from—lower on the—I can never remember that...

Mr. Spence: Keawe.

Mr. Mardfin: Yes. So if moving it up would get you three more lines of sight.

Mr. Spence: Right and I agree. And again, I put no effort into any kind of design on that. I drew two lines so I could get an engineer to go, Will you're full of it or you can go this is a good idea or just get some kind of reaction.

Mr. Mardfin: Okay. Now assuming that the Traffic Department's cooperative, they'll tell us which one they think is better right?

Mr. Spence: Right. We would—what we would have to do is engage an engineer to design something and go talk to DOT, and go talk to Public Works, and we'll come up with something that meets all the proper standards and site distances.

Mr. Mardfin: Right. The further to the west I guess you'd go—mauka you go um the more you're going to run into somebody falling into that ditch. That happened. I saw that happen...

Mr Spence: Oh yeah.

Mr. Mardfin: ...during New Years. I know the guy who did it.

(...inaudible speaking...)

Mr. Mardfin: But anyway--um okay we'll let that one go figuring that takes more engineering work.

Mr. Spence: Yeah.

Mr. Mardfin: The other question I asked you was about whether the owners are planning to have something more of a daytime operation versus an evening operation.

Mr. Spence: Okay. I don't think—let me answer that two ways. Okay, first off I don't think we've discussed that at all. Um I think normal daytime business hours—I'm not sure what time, 9 to 5, something like that. Um if it was something that would be good for the evening, they would certainly consider that. And to answer um I want to say Lipoa...

Mr. Mardfin: It is...

Mr. Spence: Okay um the testifier's question about um you know local business. She didn't ask directly, I think that's the intent of the owners though is to have a local business occupy it. They don't want ah some kind of national chains and big corporations occupying that building. They want something local here and they want to provide job opportunities. So that doesn't really go into whether it's daylight or in the evening, but something that's good for the community.

Chair Mardfin: Okay, that takes care of my questions.

Mr. Crawford: I have a couple questions, Will.

Mr. Spence: Certainly.

Mr. Crawford: Um we discussed this a little bit just going to the Community Plan. Um I think we discussed this a little bit at the last meeting um and there's been the concern expressed in some written testimonies from some testifiers about the age of the Hana Community Plan. And you know that it may be outdated so can you refresh us on or perhaps one of the um or the folks from Planning Department could um update where we're at on the updates of the Community Planning process as to when Hana might be on that schedule?

Mr. Spence: I can answer. Okay um, right now they're working on um South Maui and their Community Plan Advisory Committee is just about ready to wrap up—ah policies, they've gone through the maps and so then that's going to get transmitted to Planning Commission. I don't know if the law has changed or not but the Planning Commission either has three or six months for their review and then it goes to County Council and they have a year. Okay, um then comes Wailuku-Kahului, and I think then it's Makawao-Pukalani-Kula and Paia-Haiku and then Hana. And I'll just say I understand the frustration that things haven't been um updated in a long time; it was the Council that decided the sequence. The way that the Community Plans are going right now they're typically taking I hate to say two/three years to get through, so Hana being at the end that's a long time. The thing about the Community Plans are and that's covered in County Code 2.80B and specifically um Section 110, there's a section at the bottom that says the Community Plans until they are replaced, are in full force and effect. So this Plan is the Plan for you to address until such time as a new Community Plan is adopted.

Mr. Keiley: So our Community Plan out here is approaching 30 years old? And what's the loss in there, Mr. Corporation Counsel? How often should these be reviewed. I'm new to this.

Mr. Chris Nahulu Nunokawa: In terms of ah...

Mr. Keiley: Well I mean—what is it. I mean Council decided when we were going to be on the agenda, right?

Mr. Nunokawa: Yeah.

Mr. Keiley: Why can't they be done simultaneously. You said they have Committees? We—is there Committees like ourselves?

Mr. Nunokawa: I think it has to do more with the resources that are needed to make these determinations.

Mr. Keiley: Well why don't they hire more people?

Mr. Nunokawa: Um ...

Mr. Keiley: I'm a practical guy.

Mr. Nunokawa: I—I think it has to do with sort of balancing the um...

Mr. Keiley: Well, there is a need..

Mr. Nunokawa: There is definitely a need...

Mr. Keiley: I mean I understand these people frustration if it's almost thirty years.

Mr. Spence: At least in my experience, um when I was Director, we floated the idea of hiring more and that didn't go very far—ah just budget wise. We also talked about hiring consultants. Well, if you hired consultants to run the process, those are also the people that represent the developers so is there some kind of inherent conflict. And even if they're really good honest consultants, um you know there's the appearance that there's a conflict. So it just hasn't gone anywhere.

Mr. Nunokawa: I would sort of also—these Community Plans even though they're in place, can be amended.

Mr. Spence: Yes.

Mr. Nunokawa: You can apply for amendments to the Community Plan—these Community Plans are here to sort of direct where the community wants the community to go at that time. So they're meant to stay in place for a decent amount of time so that the community can grow and move in a direction without being changed every couple years.

Mr. Spence: Right and let me—um I want to make one more comment. I understand the Plan is old um and I understand the frustrations that it really does need to be updated, but this is the Plan you have and that Plan provides you with a lot of safeguards and a lot of policies and lot of direction. Community Plans—I mean there's the whole policy section which provides safeguards for certain things and I'm sure that you know other applications, I don't want to name them, but other applications that have come before you, the Community Plan plays a real vital role in that. Um I would be really careful about

about arguing the Community Plan is just outdated and it's no longer applicable because something could come along really really nasty. Like reviving the golf course or you know—I don't know what else could come up. Um you know I know the Nahiku Community Center was a big thing. You know you are going to need that Plan to guide decision making. So if you start saying no it's no longer applicable cause it's really old, you maybe you know cutting off yourself at the knees for something in the future so just be really careful with the argument that it's not applicable.

Mr. Mardfin: Will, I agree with you on that and I was on the Planning Commission not this body, the Planning Commission when Jeff Hunt was the Planner--Planning Director. And we were starting to get going with filling out the general plan in general for a big thing and then they were gonna go do the Community Plans and way way back there, they had Hana being one of the first ones up and then it got changed to be the last one up...

Mr. Spence: Yeah.

Mr. Mardfin: and I was kind of bothered by this so I asked about it a little. And at least part of the reason was we've changed less. I think—I count my blessings all the time that Hana has changed far less than any of the other places. When I was 20 years old, I hiked around this island and I went through Kihei, and Kihei was kiawe bush, scrub brush, and ah every couple of miles you'd have a wind mill...

Mr. Spence: Yeah.

Mr. Mardfin: I wouldn't trade Hana for that anytime. In fact they used to grumble about water all their plants the way Hana waters plants but we're very different situation. So I agree you know John is always talking about you know we gotta get this stuff done, we gotta get this stuff done. There are a couple little things that he wants and he wasn't happy with a lot of what was going on because he was insisting that the Planning Department spend \$100,000 on this study and that study and the next study. And that wasn't gonna happen either. I mean he could have all these wants but you know I could see the way things were going and you aren't gonna get that, so I mean we can talk about it more if you want but I don't think it gets us very far.

Mr. Crawford: Moving on to some other questions. I'd like to um just ask a couple more questions from the testifiers. Um starting with water, um what's the water source for the facility?

Mr. Spence: It's the private system here in Hana.

Mr. Crawford: Okay, and then um would there—with one bathroom with one toilet and one sink would there be the capacity for a cleaning sink?

Mr. Spence: Oh, well—you gotta figure there used to be a commercial laundry there so yeah there's capacity for a cleaning sink.

Mr. Crawford: Okay.

Mr. Spence: We haven't envisioned that but you know if something comes up that--then yeah there could be....

Mr. Crawford: Yeah, if it makes sense with the use—that could be allowed.

Mr. Spence: Yeah, that's pretty easy.

Mr. Mardfin: They cut that back from one outlet--from two outlets to one outlet I believe. Didn't they?

Mr. Spence: Um I'm not sure they've cut back anything. The original capacity is still there as far as I know whatever they were using as a laundry.

Mr. Keiley: Do you know the diameter of the main line is?

Mr. Spence: It was right there at the corner, it looks like inch and a half.

Mr. Keiley: I see.

Mr. Crawford: Okay next question um to go on to Lipoa's question. Is there anything regarding statistics—visitor statistics or otherwise that may have informed the choices ah or the—the choices that the applicant made in recommending certain uses and certain limitations versus others.

Mr. Spence: Okay the short answer is no statistics. The real answer is when they purchased the hotel and you know the Town Center and all the rest of the properties um they inherited a piece of property with a building that's on the state historic register places. And so what do we do with this? It's like if you bought a whole bunch of properties and you have a house, what are you going to do with that house? You can you know remodel it and rent it out or sell it or something. So here they purchased these properties, you have this potentially fantastic building on the property, let's do something with it. It has 120 years of commercial use, either as a store or a laundry, there's been office—there's been a lot of different things there. Let's get the zoning to do that. And the Community

Plan and sorry I know we discussed the Community Plan but your Advisory Committee for that Plan voted to show that as Business. Actually Service Business SBR—Residential. Um Planning Commission thought the same thing and ultimately the County Council said yeah, should be Commercial. So it started with your CPAC that voted this is--there should be some kind of business on this property.

Mr. Crawford: Okay, thank you. Um couple more questions. Um in couple of written testimonies there's been a reference to a Environmental Assessment and um I just wanted to ask you like what is—what would be the trigger for an Environmental Assessment in this context and is that at all like appropriate in what we're talking about here? I know this is an SMA zone and um that it's a—um that you've already done some of the planning and things for the renovation of the building itself and permitting and things like that. But where is the environmental assessment...

Mr. Spence: Corporation Counsel.

Mr. Crawford: Mr. Corporation Counsel.

Mr. Nunokawa: And so there isn't really a trigger in this situation. Ah there's a number of triggers ah that could be triggered ah in sort of rezoning but ah because they're not really building anything in this situation, they're just ah sort of changing it from one designation to another. Ah there's no trigger that requires a Environmental Assessment in this situation.

Mr. Crawford: Okay, thank you. Um...

Mr. Spence: If I could add just for the record um when we filed the SMA permit to do the renovations of the building, that was an action on a historic property but because as state law allows for exemptions, and Maui County has a whole exemption list, you don't need to do an EA everytime you buy a box of pencils that kind of stuff. Um we received an exemption from doing an EA in conjunction with the improvement with the renovation of the building. So that's 343 has already been taken cared of.

Mr Crawford: Okay, so that's part of the process is just seeking that exemption.

Mr. Spence: Yes.

Mr. Crawford: So if there was something that would preclude that exemption then you would have to do an EA, but nothing triggered that...

Mr. Spence: Right. And Corp Counsel is correct. Change of zoning is not a trigger.

Mr. Crawford: Um okay, I think that that's only the questions that I have. I have some comments and I'll kind of say it when we kind of get into deliberation but that's it for my questions for now. Thank you.

Mr. Spence: Wonderful. Thank you.

Mr. Wariner: I'm a little confused and that's not unusual. Um are we considering recommending the use or are we only considering the zoning change?

Mr. Mardfin: Um Will, what are you asking us to do?

Mr. Spence: What we are asking the Hana Advisory Committee to do is make a recommendation to the Planning Commission that those uses minus music studios—that short list on the left side is okay.

Mr. Wariner: Okay. Thank you.

Mr. Nunokawa: Yeah so just adding a little bit of clarification. Ah when you apply for a change in zoning, you can add conditions. A conditional zoning change and so the recommendation would be with these conditions ah as a caveat.

Mr. Mardfin: Any other questions? Um, my Planner, Kurt, are you going to make a recommendation?

Mr. Kurt Wollenhaupt: I certainly can if the Committee is ready.

Mr. Mardfin: I think we're more or less up to it. Are you up to it?

(...inaudible speaking...)

Mr. Mardfin: Okay.

Mr Wollenhaupt: Um the Planning Department has looked at the applicable regulations for a change in zoning under Title 19, Chapter 19.510 Section 19.510.040, with the applicable criteria that have according to a review from the Department have been satisfied; therefore, the Maui County Planning Department is recommending a Conditional Zoning, a change of zoning from current Urban Reserve to Business Country Town, subject to approval by the Maui County Council and two conditions which were

indicated in your recommendation letter which we will need to go through ah line by line because there have been some modifications from that which the Department originally had:

Um #1, Amusement and recreational activities with a caveat that provided provisions that would be approved by the Hana Advisory Committee and the Maui Planning Commission;

Art and music studios, with I understand music studios now being deleted;

Ah, Eating and drinking establishments locally-owned and operated, again with provided that subject to review and approved by the appropriate Planning Commission;

Ah General merchandising, General office, Hardware, feed and garden stores, libraries, museums, parking lots—now here was a change that in the recommendation that with Personal and business services so I believe that the Commission or the Committee needs to look and perhaps dive a little bit more into that. We had that on our recommendation, they've taken it off;

Warehouse facilities and then other similar businesses—so that being the case, um based upon the foregoing the Planning Department would recommend that the Hana Advisory Committee adopt as amended the Planning Department's Report and Recommendation prepared for the meeting today as the Findings of Fact, Conclusion of Law on Decision and Order and authorize the Director of Planning to transmit the Report and the Recommendation to the Maui Planning Commission and henceforth to the Maui County Council. Thank you.

Mr. Spence: Sure.

Mr. Crawford: Thank you, I did um, I have a couple more questions on that—the um I meant to clarify this one earlier but on the Site Visit um, Will I think you mentioned that because there was only one toilet that it wouldn't be suitable for a eating establishment or drinking establishment, a bar, so I'm a little confused of why that's included in the recommended limits, when maybe the restroom facility wouldn't even support that?

Mr. Spence: I know the recording can't pick up my nodding of my head. That's a good question. Um like I said they don't--well I don't think I did say that they don't have any intent of um putting in a restaurant. It would be sometime far in the future if somebody wanted to but not by these owners. Well, cause it competes with the hotel and the restaurant. They're not going to do that. Um but sometime 50 years from now or whatever things may change um so that's still a possibility, but it would be with this Advisory Committee's review and with the review of Maui Planning Commission.

Mr. Crawford: Yeah. Okay

Mr. Spence: We designed that with safeguards for the community in mind.

Mr. Crawford: I guess um you know I appreciate you sharing what their intention is right now. We as the Advisory Committee have to think about this as whoever the owner may be this is a zoning change which is meant to go with the property. So as good as their intentions may be, that's not really the main consideration that we have to take it.

Mr. Spence: Right and that's why we put it in the book for additional review. Cause...

Mr. Crawford: Right, for additional review. But I guess my basic question is one toilet—would there be a potential for an additional toilet to be added or is one toilet sufficient, is the septic capacity, is there one toilet sufficient for a restaurant? Is it okay to have a restaurant if you only have one toilet?

Mr. Spence: No, it's not sufficient. There have to be all kinds of stuff. It not only would require additional review by the Planning Commission and you, it would also have to go to Department of Health, it would also have to—that may indeed trigger an EA cause then you're doing something else on a historic property um and possibly an SMA major. So it's not an easy thing to do.

Mr. Crawford: Yeah, so it just seems to me that it's not—like why have it on the list...

Mr. Spence: Okay.

Mr. Crawford: if it's not feasible to even do under the current situation of you know. So...

Mr. Spence: That's if this body wants to recommend against that, you can make that recommendation.

Mr. Crawford: Okay. So--and my next question is regarding music studios. You mentioned the ah—about there was concern about the noise and you said that it's been struck. But I didn't hear exactly who made that determination. Was the applicant saying you were requesting to have that removed from the list?

Mr. Spence: Well, the testimony was—Will music studios may or may be not in that location...

Mr. Crawford: Yeah. But was...

Mr. Spence: I'm agreeing with it...

Mr. Crawford: So on behalf of the applicant, are you requesting that that be removed?

Mr. Spence: Yeah, just go—well I mean you have to make a formal motion. But yeah...

Mr. Crawford: No, I mean you can say as the applicant that this is what you're requesting.

Mr. Spence: Yeah. Please strike music studios.

Mr. Crawford: Okay. I think it it—music studios is a nice thing to have in the town but maybe that's not the best location for it.

Mr. Spence: Not that location.

(...inaudible speaking...)

Mr. Crawford: Yeah, because I mean I think about it is it possible to put soundproofing on a facility and only have it being used during certain hours so that could be allowable use? Like you know in some ways it would be beneficial to have a music studio in Hana. We have a lot of great musicians. Culturally appropriate music.

Mr. Spence: Yeah, I'll leave it to this body to whatever you want to do with that. You could say slack key festival...

Mr. Crawford: So let me um and let me just ask one more thing regarding the time period—is there a potential to put a um like a basically a curfew on activities at the facility um because it's so close to some other residences. Is there um--the restrictions could be placed on the businesses on the hours of operation.

Mr. Spence: I don't recall in my 31 years of being a planner here of zoning having time limitations.

Mr. Crawford: Well let me ask that of Corporation Counsel then, can we make it a condition a condition of the zoning change that there be limits put on um the hours of operation?

Mr. Nunokawa: Ah you know I'd have to get back to you on that. Ah I also haven't heard of that being something that's been done through zoning; it's usually done through like ah some sort of ah aerial wide ah curfew. Um so I'm not sure whether you could encumber the land with something like that? But ah let me look into that and get back to you.

Mr. Crawford: Okay I think that's all the questions, further questions that I have for now. So anybody else has questions otherwise I might get into some ...

Mr. Spence: Great.

Mr. Wollenhaupt: So what was the decision on music studios cause I could see that it could ah...

Mr. Keiley: Culturally appropriate.

Mr. Wollenhaupt: Cause it could--give piano lessons, hula lessons. Which would be perhaps--this is an excellent place for that kind of culture. So...

Mr. Crawford: My preference would actually be to leave it in there.

Mr. Wollenhaupt: There are noise considerations at the property line.

Mr. Crawford: There's already noise ordinances.

Mr. Wollenhaupt: Yeah.

Mr. Spence: So I think it's just up to this body to make that recommendation one way or another and you know we'll go with that to the Planning Commission.

(...inaudible speaking...)

Mr. Crawford: So ...

Mr. Wollenhaupt: Was there any decisions made on this personal and business services because it was on our list but it was not on the list that ...

Mr. Crawford: Well, let me ask the question of the applicant then why was that removed from the list.

Mr. Spence: I think it was unconscious...

Mr. Crawford: So you would perhaps like to have that on there? I mean that would be things like--can you give us some examples of what...

Mr. Spence: Doctor's office, dentists, accountant...

Mr. Crawford: A barber...

Mr. Spence: Attorneys—probably not attorneys, but sorry, but yeah, bookkeepers.....

Mr. Crawford: Okay. Um.

Mr. Spence: That could also be general office.

(...inaudible speaking...)

Mr. Crawford: Well I think—that it seems like he's saying that was left off on accident and that they would prefer to have that included.

Mr. Spence: It would be preferred to have that flexibility.

Mr. Crawford: So...

Mr. Spence: Those are generally really quiet, low key kind of place. I don't know too many accountants that make a lot of noise.

Mr. Crawford: So--I think um you know I'd just like to say that I understand folks from the community um feeling like maybe they don't have enough information or um concern about what the potential uses are, and that the Community Plan is outdated. Um but this is the Community Plan that we have um and it's gonna be awhile before it's updated so it is the one that's in effect now. Um and on all of this um discussion and all of the testimony that we've heard, all of the written testimony, I haven't seen anybody saying that they don't want the building to be renovated and used for something. Everybody saying we'd like to see this renovated and used. Um so there's some opposition about the process—feel like there wasn't enough community outreach, opportunity for a community meeting or um that the you know Community Plan is outdated but after you know listening to everything and considering it—it's like the only way—if we're delaying the process and recommending denial of this, we're just pushing back that renovation and letting the building fall further into deterioration.

Mr. Spence: That's correct.

Mr. Crawford: By being able to put conditions on it but recommend the change in zoning be approved, we're allowing the process of the renovation of the building to go forward and then um by putting limitations on the use that are um that are you know compatible with the character of the town and with the neighborhood. Um I know one of the other things that has been brought up in some testimony is that there's a desire by community

members to be able to comment on a specific use um or to be able to know. This is what the hotel wants to do with it and then we want to be able to evaluate that but that's not really how zoning works. You know the purpose of the zoning is to provide for a range of uses and it may change over time. Maybe they'll have one business that comes in that is like ah you know um a styling—you know hairstyling and then they go out of business and yeah, then they go out of business and then somebody else comes in and it's a hula studio. You know you don't want it like have it be so prescriptive that you're saying we're only going to allow this thing and the place evaluating a zoning change isn't necessarily look at every specific—it is to evaluate a specific use. It's to look at the range of uses that could be allowed under that zoning.

Mr. Spence: That's correct.

Mr. Crawford: Um so um you know, based on based on those considerations and just listening to everybody um everybody's testimony and going on the site visit, I think it would be great to have this building be renovated and be able to be used for the benefit of the community. And I feel like you know the limitations that have been set out are reasonable with the ones that sort of do raise some red flags do require additional review, would provide the opportunity to have input. Um and um you know, so based on that I um you know with the change in adding the business and personal services, I feel like I can support the um the ah Department's recommendation.

Mr. Mardfin: Are we done?

Mr. Crawford: Well I'd like to give anybody else a chance to make a statement and share anything and then I will move to that effect if anybody else ...

Mr. Keiley: (...inaudible...) I agree with Scott.

Mr. Mardfin: Kurt, where are we? Are you on--there's a place on this thing all the time where it's about four pages down where—I'm looking for it. Where, oh here it is—Recommendation. Um, this is yours--the Planning Department recommends approval of the Change of Zoning for the subject change...

Mr. Wollenhaupt: That's correct but I indicated before and as amended um by Mr. Crawford with the addition of the personal and business services and with the caveat that 1 and 3 um have the additional review by the Advisory Committee and the Maui Planning Commission ...

Mr. Mardfin: Yep.

(...inaudible speaking...)

Mr. Wollenhaupt: Yes and 11 and that was yes...

Mr. Mardfin: Okay.

Mr. Crawford: One other thing I just wanted to say is that the traffic situation there is definitely a concern and the use might affect the traffic situation and the crosswalk and everything and I think that that's just something that um we have to rely on engineers to take this into consideration professionally to figure out a solution that actually meets the standards for safety and um that you know. If that's not possible to do then that's gonna throw a wrench in things but at least give them a chance to try to come up with a solution that makes it a safe crossing.

Mr. Wollenhaupt: I think that comes under representations agreed to by the applicant today. Um we can't—putting in so many conditions on as indicated, that it won't operate between the hours of 3 to 4 and 8 to 9. But there are representations which if they're on record today, ah we can then hold them responsible that where is the traffic review so that's how we usually handle this in a change of zoning.

Mr. Crawford: Okay.

Mr. Mardfin: That was a motion to ah approve. Is there a sec...

Mr. Crawford: I didn't formally do that. So to formally put it on the record, I move to ah for the Hana Advisory Committee, to recommend approval of the um change of zoning um as recommended by the Planning Department with the um amendments that have been noted.

Mr. Wariner: Second.

Mr. Mardfin: Second by Dean.

Mr. Nunokawa: Oh yeah, I just gotta say I got the answer ah to your question—sort of. So ah like a lot of ah legal questions, it sort of depends, um it's usually more used for a use permit. Ah but potentially it's something that could be done um but it would need to be looked into more by ah the Council and by ah Corporation Counsel and so if it's something that you'd like to see since you're an Advisory Committee, just put it as a note and then we can look at it more to the specifics of it so we can see if it's something that is actually feasible.

Chair Mardfin: Thank you. It's been moved and seconded. Ah is there discussion?

Mr. Keiley: I'd just like to see that the makai boundary, the Kimbao's. I'd like to see you work with them for any screening they'd like as well as the Kalaniopio's, the adjacent neighbors. Okay? And then, Dean—I mean Ward you were worried about the roadway, I think if they put a signage—some type of signage, road now is ahead. Something to that effect would be also good.

(...inaudible speaking...)

Mr. Wollenhaupt: And did you want a roll call vote so it's official. 1:39:48

Mr. Mardfin: I will.

Mr. Wollenhaupt: Okay. Thank you.

Mr. Mardfin: Do you want to say anything else? All in favor, aye and I will start from Dean.

Mr. Wariner: Aye

Mr. Keiley: Aye

Mr. Crawford: Aye

Mr. Mardfin: Aye. Four-zeros. Any opposed—none. Four--zero. Congratulations.

Mr. Spence: Thank you Committee Members. (...inaudible...)

Mr. Mardfin: You actually got us on a good day.

Mr. Wollenhaupt: So this will go on now to the Maui Planning Commission with your recommendation and approval and then um Danny will discuss any other items...

Mr. Mardfin: If it were me Kurt, I would get more information about the roadway before you send it out to them.

Mr. Wollenhaupt: Great.

Mr. Mardfin: Cause they're likely to want to do it.

Mr. Danny Dias: Yeah, the Planning Commission will get the minutes from this meeting and that will trigger some questions. Right? So...

It was moved by Mr. Crawford, seconded by Mr. Keiley, then

VOTED: To Recommend Approval of the Change of Zoning as recommended by the Planning Department with the Amendments as discussed and agreed upon by the Hana Advisory Committee in its deliberations.

**(Assenting – S. Crawford, M. Keiley, W. Mardfin, D. Wariner)
(Excused – M. Kahana, B. Lind)
(Recused – C. Carvalho, Jr.)**

D. DIRECTOR'S REPORT

Mr. Mardfin: Meeting—unless somebody have something else.

Mr. Dias: Ah, just off the agenda..

Mr. Mardfin: Just tell us when we meet next.

Mr. Spence: Okay, I have to go. Thank you folks. Thank you all. I really appreciate it.

(...inaudible speaking...)

Mr. Dias: So I'll just, one minute, Director's item. So agenda items for future meetings. The next scheduled meeting is going to be on October 17th. Ah we have one item currently scheduled um and that would be ah special management area permit and a shoreline setback variance for wastewater improvements to Helene Hall.

Mr. Mardfin: Are they setting it up to the ...

Mr. Dias: They're setting it up to the ballpark or the parking lot next to the ballpark yeah. So I'm hoping the testifier was correct that they're opening next month because I don't know if they can handle you know wastewater right now but that would be the next item. Yes.

Mr. Crawford: What is the item exactly. Is there an action requested by the Advisory Committee or is it just like a...

Mr. Dias: So it's like ah—it would be the same thing making a recommendation to the Maui Planning Commission, um but the permits that are required would be a special management area permit and then a shoreline setback variance for wastewater improvements to Helene Hall.

Mr. Mardfin: (...inaudible...)

E. NEXT SPECIAL MEETING DATE: OCTOBER 17, 2023, 4:30 P.M.

Mr. Keiley: Is it Monday?

Ms. Kim: October 17, Tuesday.

Mr. Crawford: Is that it?

Mr. Dias: Yes, that's it.

Mr. Mardfin: Anything else?

Mr. Dias: No, that's it.

Mr. Mardfin: (...inaudible...)

Mr. Dias: I believe um there might be ah maybe November – I think it's like a short-term rental or something like that. But it's kind of—we haven't you know finalized whether or not we're doing that.

Mr. Nunokawa: We lost quorum.

Mr. Dias: Okay.

Mr. Mardfin: (...inaudible...)

Mr. Dias: He's still around, yes.

Mr. Mardfin: (...inaudible...)

Mr. Dias: He wanted to but...

Mr. Wollenhaupt: He had to go to Molokai yesterday and it was a long day...

F. ADJOURNMENT

Ms. Kim: Is meeting adjourned?

Mr. Mardfin: Meeting adjourned.

Ms. Kim: Thank you.

There being no further discussion brought forward to the Committee, the Chair adjourned the meeting at 3:46 p.m.

Respectfully Submitted by:

LINDA KIM
Secretary to Boards and Commissions I

RECORD OF ATTENDANCE:

Present:

Scott Crawford
William Matthew Keiley
Ward Martin, Chair
Dean Wariner (Left at 3:42 p.m.)

Excused:

Mary Ann Kahana
Becky Lind, Vice-Chair

Recused:

Clayton Carvalho, Jr.

Others:

Danny Dias, Planner Supervisor, Current Division, Department of Planning
Kurt Wollenhaupt, Staff Planner, Current Division, Department of Planning
Chris Nahulu Nunokawa, Deputy Director of Corporation Counsel, Department of Corporation Counsel
Linda Kim, Secretary to Boards and Commissions I, Current Division, Department of Planning

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MAUI PLANNING COMMISSION
REGULAR REMOTE PUBLIC MEETING
TUESDAY, FEBRUARY 13, 2024
9:04 A.M.

AUDIO TRANSCRIPTION, on 02/13/2024
MAUI PLANNING COMMISSION REGULAR REMOTE PUBLIC MEETING

Certified Transcript

Report of proceedings of the Maui Planning Commission public meeting, held at the County of Maui Service Center, 110 'Ala'ihi Street, Suite 212A Conference Room, Kahului, Maui, Hawaii, and remotely via Webex videoconferencing on the 13th day of February, 2024, commencing at the hour of 9:04 a.m.

TRANSCRIBED BY: CHANTELLE HEE, RPR
State of Hawaii i CSR No. 536

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1 APPEARANCES :

2

3 COMMISSIONERS:

4 KELLIE PALI, Chair

5 KIM THAYER, Vice-Chair

AUDIO TRANSCRIPTION, on 02/13/2024
MAUI PLANNING COMMISSION REGULAR REMOTE PUBLIC MEETING

6 MARK DEAKOS (Appeared remotely)

7 MEL HIPOLITO (Appeared remotely)

8 ANDREA KEALOHA (Appeared remotely)

9 DALE THOMPSON

10

11 STAFF:

12 KATE BLYSTONE, Acting Planning Director

13 GREG PFOST, Department of Planning
(Appeared remotely)

14

WES BRADSHAW, Department of Planning

15

KURT WOLLENHAUPT, Department of Planning

16

TARA FURUKAWA, Department of Planning
(Appeared remotely)

17

CANDACE THACKERSON, Department of Planning
(Appeared remotely)

18

19

MICHAEL JASON HOPPER, ESQ.

20

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(Appeared remotely)

24

25

1 APPEARANCES (continued):

2

3 For Applicant HAWAII GAS:

4 MUSTAFA DEMIRBAG, Hawaii Gas

5 YVONNE TURRO, The Limtiaco Consulting Group

AUDIO TRANSCRIPTION, on 02/13/2024
MAUI PLANNING COMMISSION REGULAR REMOTE PUBLIC MEETING

6 JENNY BERNIER, The Limtiaco Consulting Group

7

8 For Applicant MUNEKIYO & HIRAGA INC on behalf of THE
9 COUNTY OF MAUI DEPARTMENT OF ENVIRONMENTAL
MANAGEMENT:

10 EMILY MURAI, Munekiyo & Hiraga

11 JUAN RIVERA, Department of Environmental
12 Management

13 SEAN KLEIN, Kennedy Jenks

14 SAM MARVEL, Department of Parks & Recreation

15 For Applicant WILLIAM R. SPENCE on behalf of MANI
16 HANA RESORT:

17 WILLIAM R. SPENCE, Mani Hana Resort

18

19

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KAHULUI, MAUI, HAWAII
TUESDAY, FEBRUARY 13, 2024
9:04 A.M.

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AUDIO TRANSCRIPTION, on 02/13/2024
MAUI PLANNING COMMISSION REGULAR REMOTE PUBLIC MEETING

CHAIR PALI: Good morning. Aloha kakahiaka
kakou. Thank you for joining Maui County -- Maui
Planning Commission. I want to make sure that I have
video for a visual on my commissioners. One, two,
three, I see you. Can you hear me okay? Got it.
Okay.

Let's get started. I see that we have
quorum. All right.

Today is February 13th. Let the record
show it's 9:04 a.m., and I will have Director do roll
call.

ACTING DIRECTOR BLYSTONE: Commissioner
Thompson?

COMMISSIONER THOMPSON: Aloha and good
morning, all.

ACTING DIRECTOR BLYSTONE: Commissioner
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Hipolito?

COMMISSIONER HIPOLITO: Morning, Chair,
Vice-Chair, fellow commissioners. I'm in Kahalui, my
office, alone.

1 Chair, if I may, I earlier mentioned that I
2 will be leaving at 12:30 today.

3 CHAIR PALI: Thank you, sir, appreciate the
4 heads up.

5 ACTING DIRECTOR BLYSTONE: Commissioner
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6 Lindsey? Not here.

7 Commissioner Deakos?

8 COMMISSIONER DEAKOS: Yes. Good morning,
9 commission. Good morning, Chair. I am in Napili in
10 my home office by myself.

11 ACTING DIRECTOR BLYSTONE: Commissioner
12 Apo? Not here.

13 Commissioner Kealoha?

14 CHAIR PALI: Oh, so Kealoha -- oh, she's
15 here. Sorry.

16 COMMISSIONER KEALOHA: Yep, I'm here. Good
17 morning. I'm in my home in Paia, and my mom may pop
18 in.

19 CHAIR PALI: Apo is excused. I apologize.

20 ACTING DIRECTOR BLYSTONE: Great. Vice
21 Chair Thayer?

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22 VICE-CHAIR THAYER: Good morning. Aloha
23 kakahiaaka kakou. Nice to see everybody.

24 ACTING DIRECTOR BLYSTONE: And Chair Pali?

25 CHAIR PALI: Yes, here. Good morning,

1 everyone.

2 Okay, yes. So Apo is excused. We'll chime
3 in to see if Lindsey's running late or something came
4 up. And, yeah, I appreciate you being here. We do
5 have a full agenda.

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6 I do want to remind those that are joining
7 us today we have a new system I guess we're using
8 called Webex. So I do want to go ahead and give
9 everyone a warning that we might have some bumps
10 along the way. So appreciate everyone's flexibility,
11 and hopefully it works well today, but we might have
12 to give some grace to the system and our schedule
13 assuming we might have glitches.

14 So if you are online -- is there still a
15 chat function? Okay. So if you're online and you
16 would like to testify for any of the items, you will
17 continue to use the chat function.

18 And -- oh, okay. So Lindsey will be
19 excused today as well.

20 So you can use the chat function to let us
21 know that you'd like to testify, and then we will
22 come, and when it's time for that item and we will
23 call your name, then we will give you an opportunity
24 to unmute your video if you wish and your mic, and
25 you would have three minutes to testify.

1 If you are here in person, there is a list
2 there at the front door, and you can put your name
3 down there to testify, and we will grab that list as
4 we go. Please keep in mind that the testimony is
5 only three minutes.

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6 And, as I've encouraged in the past
7 meetings, you can time yourself at home to make sure
8 that all your important key pieces of your testimony
9 are in your three minutes. And by doing that, it
10 helps us allow -- it allows us to move on with a
11 smooth meeting, and it allows us to give everyone the
12 same three minutes and be as fair as possible. So
13 that is a practice that you can do. But we are going
14 to be very strict on the three minutes today.

15 And, commissioners, I am going to allow --
16 I am going to allow follow-up questions on things
17 that were in the testimony, but I'm not going to
18 allow any questions that would require open
19 additional testimony due to the agenda.

20 And so if there was a thought that wasn't
21 teased out, I'll definitely let the testifier finish
22 their thought or sentence, but then we're going to
23 keep the questions just to the testimony for sake of
24 time. Okay.

25 So, Director, I will have you introduce the

1 first item.

2 ACTING DIRECTOR BLYSTONE: The first item
3 is a bill for an ordinance to amend
4 Section 19.30A.050, Maui County Code, relating to
5 composting in the agricultural district.

6 And I am going to turn it over to
7 Greg Pfof.

8 MR. PFOF: Thank you. Morning, Chair,
9 members of the planning commission.

10 Back on November 1st of 2023, the Housing
11 and Land Use Committee heard this item, this proposed
12 bill, and -- regarding composting and co-composting
13 as a principal permitted use in the ag districts.
14 And they forwarded that to the council.

15 On November 20th, the county council
16 adopted the resolution and forwarded the bill to the
17 planning commissions for action, transmittal,
18 findings, and recommendations back to the counsel,
19 and that's why we're here today.

20 The specific text of the proposed ordinance
21 would be to add as a principal permitted use in the
22 agricultural district, quote:

23 "Composting and
24 co-composting operations,
25 subject to the

1 ACTING DIRECTOR BLYSTONE: Okay. Thank
2 you. Commissioner Kealoha?

3 COMMISSIONER KEALOHA: Aye.

4 ACTING DIRECTOR BLYSTONE: Commissioner --
5 Vice-Chair Thayer?

6 VICE-CHAIR THAYER: Commissioner Deakos,
7 you are frozen in a smile. It was a very nice smile.
8 I will aye.

9 ACTING DIRECTOR BLYSTONE: Chair Pali?

10 CHAIR PALI: Aye. All right. Now motion
11 passes. Thank you, commissioners. That was really a
12 sweet compromise. And I thank you for the knowledge
13 you bring to the table, Commissioner Deakos.

14 All right. And we're going to jump over
15 quickly to the next item. We have C2 if you've
16 just -- oh, that was C2. Hold on one second. Oh,
17 yeah.

18 Okay. We're on C2, and staff planner Kurt,
19 please introduce yourself ^{808.664.6677} _{www.iDepoHawaii.com} for the record and
20 introduce your -- your applicant.

21 MR. WOLLENHAUPT: Good afternoon, members
22 of the Maui Planning Commission. My name is Kurt and
23 I'm with the current division of the planning
24 department.

25 And today we have as our applicant's

1 representative William Spence who will be giving a
2 PowerPoint presentation on the project. The project
3 is, indeed, a change of zoning. So we're moving into
4 a whole different category now.

5 In order so that the commissioners and the
6 audience know, the vote in the Hana Advisory
7 Committee was to recommend approval of the change in
8 zoning which we'll be talking about. And the
9 question today before the Maui Planning Commission is
10 whether or not this commission will affirm that vote
11 in order to recommend approval to the county council.
12 So today's vote is not a vote of approval for the
13 change in zoning but a reference in order to
14 recommend approval to the council.

15 So what we have today is we have the Hana
16 Advisory Committee's recommendation to the Maui
17 Planning Commission to recommend approval to the
18 county council of the change in zoning for the Hana
19 Store Storage Building, 808.664.6677
www.iDepoHawaii.com the change in zoning from
20 urban reserve on the parcel to business country town,
21 BCT.

22 As members of the commission and the
23 audience know, in Hawaii, we have three levels of
24 zoning, and it's like a chair, a tripod. We have the
25 state zoning here, that's urban. We have the

1 community plan, importantly, the community plan that
2 is commercial, but we have the zoning, which is an
3 odd category called urban reserve.

4 Now urban reserve, what can you do on urban
5 reserve? Well, you can't really do much of anything.
6 You can have a house, you can have a government
7 office, and you can do ag.

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8 Well, as all of you know, because you've
9 driven out to Hana, you know where the store is right
10 across from the Hana Maui Resort. Those -- those
11 uses are just really not possible.

12 And you have to consider the history. This
13 is the old Hana Store old laundry building that has
14 had commercial uses for probably 100 years. So the
15 goal of today is to debate if you can have a usable
16 zoning, business country town, which aligns with the
17 Community Plan commercial and aligns with the state
18 urban. You get all those three together and then we
19 can proceed down to what 808.664.6677
www.iDepoHawaii.com all conditional zoning.

20 We're not here today to say that they can
21 do anything within the business country town zone,
22 not the 30 or 40 uses. But the Hana Advisory
23 Committee carefully crafted and narrowed down to
24 only, I think, 11 uses of which many of them would
25 require a trip back to the Hana Advisory Committee.

1 So this is what we call conditional zoning.

2 And Mr. Spence has a great presentation
3 that will tell the history of this building and where
4 we are going and the goals for the applicant, who are
5 the owners of the Maui Hana Resort. Thank you.

6 MR. SPENCE: Thank you, commissioners.
7 And thank you, Kurt, and I -- and acting planning
8 director, welcome. I'll try to go through this
9 really quick because I know time is limited. And
10 this is not the only agenda item. I'm going to go
11 ahead and share my screen, and I'm going to go
12 through this a lot quicker than I wanted to.

13 But I'm also here with Hunton Conrad of
14 Hunton Conrad & Associates. He did the design and
15 the plans for the building.

16 Kurt mentioned this, the property has 120
17 years of commercial use. So this is a very historic
18 property.

19 The -- in 1997, well, back up. The very
20 first zoning this property ever had was interim
21 which, in 1958, the Board of Supervisors intended for
22 it to be a temporary measure until permanent zoning
23 could be applied. In 1997, when I was a staff
24 planner, we engaged a large project to get rid of
25 interim zoning in the urban district, but there were

1 still some properties that maybe should have
2 additional community review.

3 So we zoned some -- I should say "we, the
4 county council" zoned some properties as urban
5 reserve so it could get that additional community
6 review prior to permanent zoning being established.
7 As Kurt said this, our proposed zoning does follow
8 the community plan.

9 I'm not going to go through this time line.
10 I just want to point out two things. One, we started
11 this in 2021 with a letter to the neighbors. Before
12 we had submitted an application or anything, we
13 engaged the public.

14 It was only in 2022 that we -- that we -- I
15 don't see the PowerPoint up. Oh, now -- okay. Ah,
16 goodness, technology and an unfamiliar system.

17 So, anyway, this time line we started in
18 2021 with a letter to the neighbors. It wasn't until
19 a year later we filed an application in June of 2023.
20 We went first to the Hana Advisory Committee. They
21 wanted to do a site visit. We went back in August,
22 and that's where they unanimously recommended
23 approval.

24 Just so you know where we're located in the
25 previous application down here at the harbor down at

1 Helene Hall, we're up the road just across from the
2 existing hotel. Aerial view, the historic building
3 is not what you see; it's underneath the tree.

4 Because the commission is going to ask, we
5 are way outside the tsunami zone. We have a -- kind
6 of a funky flood zone that -- I think this is a very
7 old map. There's now a drainage facility down the
8 side of the road. And if it was redone today, it
9 would be different, but a very low chance of
10 flooding. And then, of course, we are way outside
11 the sea level rise exposure area.

12 This is the property when these current
13 owners, the Mani brothers, purchased the property.
14 This building -- this historic building was in danger
15 of being lost. It's still -- it still needs to --
16 waiting for building permits and other approvals.

17 But you can see the roots growing through
18 the facades, you can -- back here, you can see the
19 trees growing on top of the building. This would
20 have just destroyed the building. So they did a
21 basic cleanup, removed the trees, probably stopped a
22 lot of the destruction, but still more work needs to
23 be done. This was -- it was just a dumping ground
24 for the hotel.

25 This is after basic cleanup. And then once

1 completely done, it's going to be very presentable to
2 the public and preserved for history. This is one of
3 three oldest buildings in Hana. First being the
4 courthouse, Wananalua Church, and then this one.

5 So Kurt already said why a change in zoning
6 is necessary. You basically can't do anything with
7 the urban reserve. So -- but to change from urban
8 reserve to something else, you have to follow the
9 Community Plan. The Community Plan identifies a
10 property for business commercial if -- that
11 definition includes retail stores, offices,
12 entertainment enterprises. And this is just a little
13 different view from the county viewer.

14 When we engaged in this process, we carried
15 throughout three values. One is to maintain the
16 character of Hana town. The second is the historic
17 preservation of this property, and then public
18 outreach.

19 One of the mechanisms to maintain
20 character, it's in the SMA. And as you've discussed
21 all morning, there is a big, long process to do
22 anything. If somebody wants to step out of the --
23 out of the box, you're going to have a process to go
24 through.

25 Historic preservation is also a mechanism

1 to preserve character. This is a map Staff Planner
2 Stanley Solamillo found in the Sanborn maps. This is
3 the -- this building is colored blue because it's
4 made out of stone and it's considered fireproof. So
5 it appears blue in what was a much larger
6 conglomerate of buildings that made up the Hana
7 Store.

AUDIO TRANSCRIPTION, on 02/13/2024
MAUI PLANNING COMMISSION REGULAR REMOTE PUBLIC MEETING

8 The store is no longer there. The wooden
9 buildings are no longer there. But when Paul Fagan
10 built the hotel, he -- in 1947, he used this building
11 as the hotel laundry. That laundry continued to 2010
12 when Travaasa closed it. Overall, there's 120 years
13 of commercial use on this property.

14 A little different view. Buzzing through,
15 you can see from the 1947 picture this is the
16 building right here that's remaining. Something from
17 1990 showing that the hotel always had intent to use
18 the property for even more commercial.

19 Cultural Resources Commission, they
20 reviewed the planning staff after their site visit.
21 They unanimously recommended approval as proposed by
22 the applicant.

23 Site plan, the gray area, the shaded area,
24 that's going to be gravel. They're going to remove
25 the asphalt that's currently there. So drainage

1 conditions are going to significantly improve on this
2 site.

3 Elevations, floor plans, still following
4 the CRC's recommendations. We have -- actually, I
5 took the HABS photography for this building that will
6 go into the National Archives.

7 Public outreach, I sent a whole -- so I'll
8 just briefly -- I sent a whole slew of letters with
9 all the notifications and everything because I think
10 the notices are really dry. They don't tell you
11 what's going on.

12 So I thought some information would be
13 good, and I invited people to contact me. I took
14 about 15 calls and about 25 emails, just conversing
15 with people in the public.

16 We also went to Shane Sinenci's virtual
17 town hall and presented the project and answered
18 questions. So business country town zoning is a
19 zoning district that denotes the character of our
20 small towns. It's more of a design issue.

21 Hana is identified as a small town. And
22 it's not new to Hana; Hasegawa General Store and the
23 Town Center also have business country town. They
24 don't have any limitations on their zoning.

25 As Kurt said, what we did, and this -- this

1 was not the Hana Advisory Committee who recommended
2 this. We voluntarily went through the list of all
3 the uses on the left side that said, this is what's
4 allowed in business country town. We said, no, these
5 are not appropriate.

6 So we pared it down to 11 different uses,
7 some of which will require -- if somebody in the
8 future wanted to do them would require additional
9 review by the department and by the Hana Advisory
10 Committee. There should be retail, general
11 merchandising, offices, libraries, museums. These
12 are all things commonly used throughout the country
13 for -- in historic properties.

14 What should not be allowed -- there should
15 be no more vacation rentals, B&B's. We should never
16 build apartments on it. There should be -- never be
17 gas stations. There should never be noise-generating
18 kinds of uses on the property. So we -- this is just
19 a short list.

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20 And then I won't go through this. If the
21 commissioners have questions, that's fine. But there
22 may be a couple of things that -- you know, that
23 might be okay with the community with additional
24 input.

25 We explored the impacts. Property is so

1 small, and this is a 1500 square foot historic
2 building. People are going to Hana for other things.
3 They're not going to go get off a plane, drive to
4 Hana, our residents aren't going to be driving from
5 Kihei, the west side, just to see this. They'll be
6 in Hana for other reasons. So this building isn't
7 going to generate impacts.

AUDIO TRANSCRIPTION, on 02/13/2024
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8 I already said we're mitigating additional
9 runoff. There will actually be no additional runoff.
10 Conditions will be improved by the use of gravel
11 instead of asphalt. We're mitigating noise by
12 limiting the potential uses. There'll be a small
13 amount of security lighting in the evening and
14 downward shielded according to county code.

15 And we do have a new septic system already
16 installed with approval of Department of Health.
17 There's only one bathroom in the building, so it's a
18 very small septic system, and we're not anticipating
19 expanding that at all.

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20 And that's pau, commissioners.

21 CHAIR PALI: Great. Thank you. We'll go
22 to public testimony. If you are online and you're
23 still with us, thank you for joining us. If you
24 would like to testify, you can use the chat function
25 to do so. If you're in the room here, you can use

1 the list at the door.

2 If you'd like to testify -- I think was
3 this the one Mr. Mayer wanted to testify on? Okay,
4 we've missed it already. Sorry. Okay. I wanted to
5 circle back to see if he was available. Oh, the last
6 one, okay. Got it. All right.

7 So any testimony? We are on Item C2.
8 Public testimony is open if you would like to
9 testify.

10 MR. MAYER: I am available. This is Dick
11 Mayer. I am available to speak.

12 CHAIR PALI: Oh, good. Wonderful. Well,
13 hang in there. It's been a long meeting. Okay. I
14 see no one on C2. Okay. We will -- do we have
15 someone that wants to testify on C2? Okay. Seeing
16 none, we will close testimony on C2.

17 Commissioners, this is a time that you have
18 opportunity to talk and ask the applicant questions.
19 I do want to again remind you that we are not the
20 approving body on this. We are simply recommending
21 to county council, and they will be the final
22 decision-makers on this topic.

23 So if you have questions, please feel free
24 to ask them. Otherwise, we'll go into recommendation
25 from department and then deliberation. Any

1 questions, commissioners?

2 All right. Seeing none, Kurt?

3 MR. WOLLENHAUPT: The recommendation from

4 the department is to have the Maui Planning

5 Commission affirm their unanimous decision to

6 recommend approval of the change in zoning to the

7 Maui County Council, a change in zoning from urban

8 reserve to business country town on TMK

9 (2)1-4-013:001 and that the condition attached to

10 this zoning application would be as presented in the

11 presentation and also in the letter to Chair Pali

12 with the permitted uses and the criteria and

13 limitations as stated in the letter from the

14 department of February 13th, 2024. Thanks.

15 CHAIR PALI: Wonderful. Thank you. Okay,

16 floor is open for a motion. Commissioner Thompson?

17 COMMISSIONER THOMPSON: Thank you, Chair.

18 I could recommend that we recommend this approval to

19 the -- to the council. ~~Thanks~~ very much.

20 CHAIR PALI: Great. Do I have a second?

21 Commissioner Kealoha, second.

22 All right, any discussion?

23 MR. HOPPER: Just to clarify, that's with

24 the conditions as recommended by staff, including the

25 ones limiting the uses in the -- in the area.

1 COMMISSIONER THOMPSON: Thank you,
2 Mr. Hopper. And, indeed, included.

3 CHAIR PALI: Okay. And Kealoha, you
4 affirm?

5 (Commissioner Kealoha gives a
6 "thumbs up" gesture.)

7 CHAIR PALI: Okay. Any discussion? Okay.
8 We will go to a vote. Oh, let's -- Vice-Chair
9 Thayer.

10 VICE-CHAIR THAYER: Sorry. I just was
11 reading through the notes from the virtual town
12 hall. There was -- it sounds like some points
13 brought up by the community about keeping the
14 building height to single-story structures.

15 MR. WOLLENHAUPT: The question at the town
16 hall -- and I haven't seen those minutes. The
17 question at the town hall -- there was a testifier
18 who got on and asked, you know, well, how high -- she
19 asked if there was a modern chrome building. And we
20 assured her that, no, you know, it's -- we're
21 maintaining the historic building. The other one is
22 going to stay single story.

23 And if anybody ever wants to go two-story,
24 then that's going to be an SMA Major. So it has to
25 go through the whole review process again, anyway.

1 VICE-CHAIR THAYER: Okay. That's my only
2 question. Thank you for talking through that.

3 CHAIR PALI: Great. Any other questions?
4 All right. Seeing none, we'll do a roll call vote.

5 ACTING DIRECTOR BLYSTONE: Commissioner
6 Kealoha?

7 COMMISSIONER KEALOHA: Aye.

AUDIO TRANSCRIPTION, on 02/13/2024
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8 ACTING DIRECTOR BLYSTONE: Commissioner
9 Thompson?

10 COMMISSIONER THOMPSON: Aye.

11 ACTING DIRECTOR BLYSTONE: Commissioner
12 Hipolito? Oh, not here. Sorry.

13 Commissioner Deakos?

14 COMMISSIONER DEAKOS: Aye.

15 ACTING DIRECTOR BLYSTONE: Vice-Chair
16 Thayer?

17 VICE-CHAIR THAYER: Aye.

18 ACTING DIRECTOR BLYSTONE: Chair Pali?

19 CHAIR PALI: Aye. 808.664.6677
www.iDepoHawaii.com So motion does pass.

20 All right. So we will recommend approval to county
21 council for this project.

22 MR. WOLLENHAUPT: Thank you,
23 commissioners.

24 CHAIR PALI: Thank you for hanging in
25 there all day. All right.

1 STATE OF HAWAII)
2 CITY AND COUNTY OF HONOLULU)

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REPORTER'S CERTIFICATE

I, Chantelle Hee, Certified Court Reporter,
Certificate No. 536, for the State of Hawaii, hereby
certify:

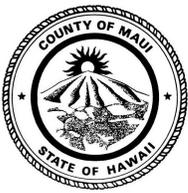
That the foregoing electronically-recorded
proceedings were transcribed by me to the best of my
ability.

I further certify that I am neither
financially interested in the action nor a relative
or employee of any attorney or party to this action.

Dated this 27th day of February 2024 in
Honolulu, Hawaii.



CHANTELLE HEE, RPR
Hawaii CSR No. 536
iDepo Hawaii, LLC
(808) 664-6677



Current Planning Application Report (ZPA2022-00001)

Plan Type: CP Change of Zoning/General Plan Amendments/DBA	Project:	App Date: 07/01/2022
Work Class: Review	District: Hana	Exp Date: NOT AVAILABLE
Status: In Review	Square Feet:	Completed: NOT COMPLETED
Valuation: \$250,000.00	Assigned To: Wollenhaupt, Kurt	Approval Expire Date:

Description: Mani Hana Resort (DE) LLC is the owner of the Hana Store Storage Building, also known as the "Old Laundry Building," one of the oldest structures in Hana town. It is listed on the Hawaii State Register of Historic Places, Site 50-13-1628. The project is to reestablish commercial uses on the property by rezoning it from Urban Reserve to conditional Business Country Town. The property has 100 years of commercial use, and the community plan designates it as "Business/Commercial." The owners propose conditional zoning, limiting uses to what would be compatible with the historic property. Additional details are in the narrative and proposed conditions.

Parcel: 2140130010000-1142	Main	Address: 9 Keawa Pl Hana, HI 96713	Main	Zone: X(Flood Zone: X) U(LUD Code: U) A(LUD Code: A) 799(Zoning Class: UR Urban Reserve) Small Town(Maui Island Plan: Small Town) 00_ROAD(Community Plan: 00_ROAD) 00_BSNS(Community Plan: 00_BSNS) SMA(Special Management Area)
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Agent HUNTON CONRAD	Applicant William Spence P.O. Box 880267 Pukalani, HI 96788
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Plan Custom Fields

I. Project Information

APPLICATION DOCUMENTS

Please use the below hyperlinks to open and/or download forms to be used while preparing and submitting your application.

Outline of ZPA Questions

You can use this outline to help navigate within the set of questions below and refer to any specific one.

Required Attachments for Change of Zoning

Upload all the listed documents in the "Attachments" section if you are requesting a Change of Zoning.

Required Attachments for CP and MIP amendments

Upload all the listed documents in the "Attachments" section if you are requesting an amendment to a Community Plan (CP) or the Maui Island Plan (MIP).

Required Attachments for a Land Use Commission DBA

Upload all the listed documents in the "Attachments" section if you are requesting a Land Use Commission District Boundary Amendment.

Sample of Basic Answers to Questions

You can review this first sample to help you frame less complex answers to all questions below except those in Section V. Most should be appropriate for a less complex application and/or project. Most sample answers are drawn from actual reports to Commissions.

Sample of Moderately Complex Answers to Questions

You can review this second sample to help you frame more complex answers to all questions below except those in Section V. Many should be appropriate for a more complex application and/or project. Most sample answers are drawn from actual reports to Commissions.

Sample Answers to Section V. Questions

You can review this third sample to help you frame answers to questions in Section V. Section V. is specific to only this particular type of application. The questions in the other two samples above are common to a variety of applications which require a public hearing by a County Commission.

Land Use Comm. Admin. Rules 15-15-18 thru 15-15-21

If you are requesting a Land Use Commission District Boundary Amendment, you will need to describe below how the applicable criteria from sections 15-15-18 through 15-15-21 of the Land Use Commission's administrative rules are met.

Notice of Application - ZPA

Current Planning Application Report (ZPA2022-00001)

Fill out the Notice of Application and mail it out with a location map to all owners and recorded lessees within 500 feet of the subject project site property boundaries. Upload a copy in the "Attachments" section.

Notarized Affidavit of Mailing of Notice of App

After mailing out the Notice of Application, fill out the Affidavit, have it notarized, and upload it in the "Attachments" section.

Notice of Public Hearing

Fill out the Notice of Public Hearing and upload it in the "Attachments" section. Do not mail it out until you are asked to do so later.

Notarized Affidavit of Mailing-Notice Public Hrng.

After mailing out the Notice of Public Hearing, fill out the Affidavit, have it notarized, and upload it in MAPPS.

Sample land use change map

Prepare a map of the subject property and its surrounding properties, including their Tax Map Key numbers and the proposed land use change, in a format designed to be printed on regular paper of 8 1/2" x 11". The map will not include the metes and bounds on it, nor signature lines or dates for any approvals. Upload it in the "Attachments" section.

You will have the opportunity to upload some attachments in batches in the "Attachments" section.

QUESTIONS

If a question below does not apply to your project, enter NA as your answer and if the question requires a count, enter 0.

I. Project Information

A. GENERAL INFORMATION

1. Select one or more types of amendments or changes being requested

Change of Zoning

2. What other application(s) are you applying for related to this project?

None. SMA approvals have already been issued for the physical work, those documents, as well as the CRC review, will be uploaded.

3. Associated application number(s), if known

SMX 2021/0253, SM2 2022/00007, SMX 2021/0213, SM5 2022-00001, EAE 2022-00002, RFC 2021/0012

4. Is this application for a Maui County agency project?

No

5. Project Name

Hana Store Storage Building Rezoning

6. Total Area of Lot(s) - acreage of TMK parcel(s) where use is proposed

0.59

7. Project Site Area [Enter only if different from Total Area of Lot(s)] - sq. ft. of area where use is proposed.

21711

8. Valuation of Project*

250000

* Total cost or fair market value, as estimated by an architect, engineer, or contractor licensed by the State of Hawaii Dept. of Commerce and Consumer Affairs; or, by the administrator of the Dept. of Public Works, Development Services Administration.

9. Physical Address/Location of Project

9 Keawa Place, Hana, Maui

10. Additional Location Information

11. Describe the Existing Use.

Vacant historic stone/mortar building, State Register Site No. 50-13-1628, a wooden storage building, and a former tool shed.

12. Briefly describe the Proposed Development/Use.

The proposed rezoning will reestablish commercial uses on this property, a site with more than 100 years of many different business activities, including inside the historic stone building. The property was zoned from Interim to Urban Reserve in 1997 with the thought that there should be some additional community input, as through the change of zoning process, before establishing permanent business zoning. The owners in this case propose conditional Business Country Town zoning, limiting the uses to those compatible with an important historic building and site.

13. No. of Parking Spaces now on the site

10

14. No. of Parking Spaces on the site after development

13

15. Building Permit Application No.

BT20211145 and BT20210969

16. Has the proposed use or any work related to it already been started or completed for this project?

No

17. If (Y) describe after-the-fact use or work

N/A

B. DESCRIPTION OF THE PROJECT

1. List any amendment to text changes you are requesting for zoning conditions or plan wording.

This space does not have room for the proposed conditions. See uploaded documents, "IB1 proposed uses," and "Miscellaneous draft ordinance" for proposed conditions. See also the analysis for compliance with the proposed zoning district.

Current Planning Application Report (ZPA2022-00001)

2. Provide a statement of the purpose and need for the proposed action.

The purpose of this application is to rezone the property from Urban Reserve to conditional Business Country Town in following the Hana Community Plan. Rezoning the property will result in the use of the property for commercial purposes, as it has for more than 100 years. The rehabilitation and use of the historic building will result in it being open for the public to experience this piece of Hana's history. It will benefit the residents of Hana by providing additional business space resulting in some employment opportunities.

3. Describe the full scope of your project. Include, where applicable, but not limited to: use, length, width, height, building materials, floor area, and size of structures in square feet, project need, hours of operation, number of employees, proposed employee housing plan, construction costs, construction timeline, phases, landscaping, and area, depth, or volume of grubbing, grading, fill, and any other ground-altering activity such as utility installation.

The scope is to rezone the property so it can be used for commercial uses once again. No new buildings are proposed, only rehabilitation of existing structures but those improvements are covered under SMA and building permits. Zoning is to be conditional to limit uses to those compatible with a historic property.

C. DESCRIBE THE FOLLOWING SITE CONDITIONS

1. Elevations (highest and lowest points)

Approximately 107 and 103 above MSL

2. Slopes

1.5- 2%

3. Topography

The site is relatively flat, any grading took place when the original commercial store buildings were constructed more than 100 years ago. there will be no grading as a result of the change of zoning. No grading will take place with the improvements outlined in the SMA review.

4. Soil Types

Hana silty clay loam

5. Natural Features

There are no particular natural features, the site has been developed for over 100 years.

6. Vegetation

The site has some plants common to the Hana area, including weeds, grasses, some banana trees and a Banyan tree. New landscaping will be installed with improvements.

7. Existing Development

The primary building is the historic stone/mortar building from approximately 1890s, State Register of Historic Places Site No. 50-13-1628. It was a fireproof and secure storage building for what was a much larger complex of wooden buildings that made up one of the original general stores. The site also has a wooden storage building, and what was formerly a tool shed.

D. LIST THE ADJACENT AND SURROUNDING LAND USES

1. North

Single family residences

2. East

Single family residences

3. South

Hana Hotel Resort

4. West

Hana Highway and open pasture land

E. HISTORIC PROPERTIES CHECK/HRS 6E

1. If any of the following apply, check this box

Yes

Does the site include a registered Historic property?

Does the property include any buildings/structures 50 or more years old?

Is there ground altering activity proposed?

2. Is it in NHLD?

No

3. County Historic District?

No

F. CHAPTER 343, HRS (HAWAII ENVIRONMENTAL POLICY ACT) COMPLIANCE

1. If any of the following apply, check this box

Yes

Is there a Chapter 343 trigger?

Has an EA or EIS already been submitted?

Is the project exempt under Chapter 343?

II. Plan Consistency & Impacts

A. SELECT THE RELEVANT THEMES, GOALS, OBJECTIVES, AND POLICIES FROM THE COUNTYWIDE POLICY PLAN AND DESCRIBE HOW YOUR PROPOSAL IS OR IS NOT CONSISTENT WITH THEM. WHERE IT IS NOT CONSISTENT, DISCUSS WHY YOUR PROPOSAL IS JUSTIFIED. You may also list and discuss any other section of the plan that is relevant to the proposed request. Consult the relevant goals, objectives, policies, and implementing actions of the Countywide Policy Plan for guidance.

Countywide Policy Plan Details Form

Current Planning Application Report (ZPA2022-00001)

B. SELECT THE RELEVANT CORE VALUES, GOALS, OBJECTIVES, POLICIES, AND IMPLEMENTING ACTIONS (CH. 1-7) FROM THE MAUI ISLAND PLAN AND THE DIRECTED GROWTH PLAN (CH. 8) AND DESCRIBE HOW YOUR PROPOSAL IS OR IS NOT CONSISTENT WITH THEM. WHERE IT IS NOT CONSISTENT, DISCUSS WHY YOUR PROPOSAL IS JUSTIFIED. You may also list and discuss any other section of the plan that is relevant to the proposed request. Consult the goals, objectives, policies, implementing actions, and Table 8-2 in Chapter 8 of the Maui Island Plan for guidance.

Core Values: To achieve our island's vision, we will be guided by the following values: a) Adopt responsible stewardship principles by applying sound natural resource management practices. b) Respect and protect our heritage, traditions, and multi-cultural resources. c) Plan and build communities that include a diversity of housing. d) Retain and enhance the unique identity and sense of place. e) Preserve rural and agricultural lands and encourage sustainable agriculture. f) Secure necessary infrastructure concurrently with future development. g) Support efforts that contribute to a sustainable and diverse economy for Maui. h) Create a political climate that seeks and responds to citizen input. i) Respect and acknowledge the dignity of those who live on Maui. j) Establish a sustainable transportation system that includes multiple modes, including walking, biking, and mass transit, as well as automobile-based modes. k) Recognize and be sensitive to landownership issues and work towards resolution.

Maui Island Plan Details Form

2. If your request or project falls within a Maui Island Plan Protected Area, address how your project or proposal impacts the Protected Area. Discuss any mitigation measures intended to protect the area. Consult the Protected Area Diagrams and Table 8-2 in Chapter 8 of the Maui Island Plan for guidance. If your request does not fall within a Maui Island Plan Protected Area, answer N/A.

N/A

3. If your request or project falls within a Maui Island Plan Growth Boundary, address how your project is consistent with Chapter 8 of the Maui Island Plan, Directed Growth chapter. If your project falls within (affects) a Planned Growth Area, address how your project is consistent with the Planned Growth Area description in Chapter 8. Consult Chapter 7 and 8 of the Maui Island Plan for guidance. If your request does not fall within a Maui Island Plan Growth Boundary, answer N/A

The property is located in the Small-Town Growth Boundary. The rezoning is consistent with the purpose of the boundary because it promotes and preserves the integrity of the unique sense of place for Hana, and the economic viability of this traditional town.

The plan conveys the importance of preserving historic sites, this being one of them.

Finally, it states that Hana lacks a defined town core. Being next to hotel and near the Hana Town Center, returning this property to commercial use will strengthen the identity of the immediate area as the town's commercial center.

C. SELECT THE RELEVANT SUBJECTS, GOALS, OBJECTIVES AND POLICIES, AND IMPLEMENTING ACTIONS FROM THE RELEVANT COMMUNITY PLAN AND DESCRIBE HOW YOUR PROPOSAL IS OR IS NOT CONSISTENT WITH THEM. WHERE IT IS NOT CONSISTENT, DISCUSS WHY YOUR PROPOSAL IS JUSTIFIED. You may also list and discuss any other section of the applicable community plan that is relevant to the proposed request. Community plan areas are defined by geographic boundaries. Consult the relevant goals, objectives, policies, and implementing actions in the relevant Community Plan for guidance.

Community Plan Details Form

D. DESCRIBE HOW YOUR PROPOSAL IS CONSISTENT AND CONFORMING WITH EACH OF THE APPLICABLE FOLLOWING TYPES OF MAPPED LAND USE DESIGNATIONS FOR THE SITE:

1. State Land Use Districts

Urban

2. Maui Island Plan Growth Boundaries

Small Town

(N/A if project on Molokai or Lana'i)

3. Maui Island Plan Protected Areas

N/A

(N/A if project on Molokai or Lana'i)

4. Community Plan Land Use Designations

Business/Commercial

5. Zoning Designations

Urban Reserve

DEVELOPMENT IMPACTS

E. ARCHAEOLOGICAL, HISTORICAL, AND CULTURAL RESOURCES IMPACTS:

1. Describe any archaeological impacts.

The property is small and has been developed for over 100 years and had multiple buildings at one time. From the multiple years of disturbance it is unlikely that any any archaeological resources are on the site. Further, no grading is necessary to implement the improvements.

2. Describe any impacts on historic resources.

The Hana Store Storage Building is listed on the State Register of Historic Places, site 50-13-1628.

Prior to the current owners, the site and historic building were left to deteriorate in the rainy tropical climate of Hana. The historic building was at risk of being lost due to neglect. The new owners recognized the value of the historic building and have sought to preserve and renovate it through improvements.

The Cultural Resources Commission reviewed the proposed improvements on February 3, 2022, and adopted the staff recommendations as their own. The proposed improvements will ensure the preservation of the historic structure, and allowing commercial uses will ensure the public can experience this part of Hana's history. There are no anticipated negative impacts associated with improving the property as approved by the CRC and staff.

3. Describe any impacts on cultural resources.

There are no known cultural resources on this site which has been used for more than 100 years for commercial purposes.

4. List any comments/recommendations received from State Historic Preservation Division.

SHPD is currently reviewing the plans for improvements.

Current Planning Application Report (ZPA2022-00001)

F. SOCIO ECONOMIC IMPACTS

1. Identify social and economic impacts (such as the need for affordable housing, impacts on population, impacts on labor, local economy, etc.).

The effect of rezoning the subject property on Hana's population will be negligible. The size of the parcel is small, and the overall square footage of the structures is also quite limited. There will be some additional employment opportunities, but that would be expected to be supportive of the local population and not cause anyone to relocate to the Hana area.

Rezoning this property is not expected to either increase or decrease the demand for housing within Hana. There will be additional job opportunities that may allow people to pay rent or mortgages, but the overall housing stock will not be changed.

Community services are characterized as social services for the young or elderly, those needing help with paying rent, vocational training, schools, shelter needs, healthcare, etc. Changing the zoning on this property is not anticipated to either increase or decrease the demand for community services.

Rehabilitating the property will generate limited-term construction jobs. Long term, use of the historic structure will generate employment opportunities within Hana. The number of jobs will partially depend upon the type of business that occupies the building. An estimate for either retail or office uses would be 5-6 new jobs. There will also be indirect employment related to building and landscaping maintenance.

G. ENVIRONMENTAL IMPACTS

Describe any impacts to the following:

1. Environmentally Sensitive Areas, including shoreline, wetlands, streams, other fresh waters, estuaries, coastal waters, sea level rise exposure area, other erosion prone areas, geologically hazardous land, tsunami zone, flood plain, rock outcroppings, endangered plants and animals and exceptional trees. For proposals on Maui Island, consult the Protected Area sections in Chapter 8 of the Maui Island Plan (MIP) and discuss how the area will be protected from adverse actions. Include any mitigation measures if applicable. Please consult Table 8-2 in the MIP for guidance.

The property is located in flood zones X and XS. Flood zone X is outside of the 0.2 percent annual chance of flooding, XS is in the 0.2 percent annual chance or 1 percent chance of flooding less than a foot.

The project site is approximately 800 feet from the Tsunami Evacuation Zone, and 550 feet from the Extreme Tsunami Evacuation Zone. There is little threat of inundation by a tsunami.

As the property is about 103 feet above MSL, the UH sea level rise viewer indicates the property is far from the 3.2 meter Sea Level Rise Exposure Area.

2. View corridors and scenic resources impacts

There are no impacts to scenic resources with this project. No new buildings are proposed and those that exist have been there for many decades.

3. Flora impacts

As the site has been developed for more than 100 years, it is highly unlikely that any endangered or threatened plant species or their habitat exist on the site.

4. Fauna impacts

As the site has been developed for more than 100 years, it is highly unlikely that any endangered or threatened animal or bird species or their habitat exist on the site.

5. Dune ecosystems impacts

There are no sand dunes on or near the subject property.

6. Stream ecosystems impacts

There are no streams that cross or are near the subject property.

7. Marine ecosystem impacts

The project site is located more than 1,000 feet from the shoreline and runoff from the site has never been an issue. Renovations to the property will include a reduced amount of impervious surfaces, thus further decreasing any runoff from the site. No impacts to marine resources are anticipated with the rezoning of this property.

8. Natural features impacts

As the property was developed more than 100 years ago, it has no unique natural features.

9. Open space impacts

The site is already developed and no new buildings are planned. As a result there will be no loss of open space resources.

10. Noise Impacts

Renovations of the buildings may generate some temporary noise impacts. Long term, the types of businesses will be limited by the proposed zoning and are of a nature that would generate small amounts of noise. No noise impacts are expected with the long term use of the property for business purposes.

11. Air Quality Impacts

Short term impacts may occur with the renovation of the buildings and improvements to the site. Long term impacts are expected to be negligible, much as they are today.

12. List any comments/recommendations received from government agencies.

The Cultural Resources Commission (CRC) had reviewed and approved the proposed improvements and renovations. That review and approval will be uploaded as an attachment as "IIG12 Comments CRC."

H. OTHER IMPACTS, MEETINGS, APPROVALS AND ZONING

1. Describe any other impacts.

N/A

2. List the dates of any community meetings held regarding the project and summarize the feedback. Have your neighbors been made aware of your project and what has been their general feedback?

Current Planning Application Report (ZPA2022-00001)

A total of 40 letters were mailed on July 22, 2021, to all the property owners within the 500-foot notification area. The letter introduced the concept of changing the zoning and how the uses would be limited so the property would always fit in the character of Hana town. The letter gave contact information and invited the neighbors to call or email. A single call was received from an adjoining neighbor who was in favor of the zoning.

On October 6, 2021, the applicant's representative participated in Councilmember Shane Sincenci's virtual town hall meeting where a PowerPoint was presented to the public. The meeting was cordial and prompted two comments from attendees. First was a concern about the property being built out with overly large multi-story structures. It was clarified that the property would remain the same with the historic building and storage remaining and as only single-story structures. The second was a request to do an Environmental Assessment (EA). It was explained that the community plan was not being changed, so that is not a trigger for an EA. An exemption has since been obtained. Copies of the letter and PowerPoint will be uploaded as "I1H2 public outreach"

3. If applicable, provide an assessment of the impact the proposed use may have on agricultural use of the property with comments from the Department of Agriculture (DOA) and Natural Resources Conversation Service (NRCS).

Agricultural uses have not taken place on the property for more than 100 years, and none are proposed.

4. Identify other governmental approvals that the development will be subject to.

The physical improvements to the site have already been reviewed by the CRC and the Planning Department. An appropriate EA exemption has been obtained, as well as an SMA minor and an SMA exemption. Building permits are pending.

The change of zoning to use the site for commercial purposes will require review by the Hana Advisory Committee, the Maui Planning Commission, and ultimately the passing of an ordinance by the County Council.

Occupancy of the building will require a certificate of occupancy.

5. Describe the relationship of the proposed project to the Maui County Code Title 19, Zoning Code.

The applicant proposes to limit the permitted uses on the property through conditional zoning. Each of the permitted uses in MCC 19.15.020 were evaluated in consideration the historic property, where some appear to be very compatible with the adaptive reuse of this historic structure, including retail or office. Other uses, might be acceptable if there was additional community review, such as eating and drinking establishments. Other uses would be out rightly prohibited on the property, those being found incompatible with the historic site. Such uses would include gas stations, vacation rentals, multi-family buildings, and recycling centers. Please see the uploaded list for exact proposed conditions.

6. Describe the relationship of the proposed project to any other relevant regulatory controls, best management practices, policies, plans, technical studies, guidelines, or studies.

Running independently of a change of zoning and actual use of the property, the CRC has a number of requirements in relation to renovating the historic building. Such requirements include but are not limited to the testing of the historic mortar so repair materials will be compatible. That study has been completed. Another is the requirement that the building be documented and photographed to HABS (Historic Architectural Building Survey) standards. As of this time a consultant has been selected and the studies are forthcoming. The requirements are included in the uploaded approval by the CRC as "IIG12 Comments CRC."

III. Infrastructure

A. WATER

1. Identify existing water source and current usage.

The property is served by the private system owned and operated by Hana Water Company owned by Hana Ranch.

2. Describe any water transmission lines currently serving the site.

The property is served by a two-inch line that comes off of a 6-inch line in Keawa Place.

3. Describe the adequacy of the water supply to meet fire protection requirements.

There are two hydrants near the subject property. One is located on Keawa Place approximately 85 feet from the subject property. The other is about 160 feet away close to the corner of Keawa Place and Hana Highway, and is located on the hotel grounds almost adjacent to Hana Highway.

4. Describe any anticipated increase in water demand and if necessary, any subsequent improvements.

Increased demand will be minor and considering there will be a single bathroom, use will likely be less than a single-family residence. Irrigation lines will be required by the county for landscaping, their use will be limited because the natural rainfall in Hana is normally more than sufficient to keep landscaping healthy.

5. List any comments/recommendations received from government agencies.

As before, the CRC reviewed the improvements to the property on February 3, 2022 and adopted staff recommendations as their own. The related documents will be one of the uploads.

B. SEWERS

1. Identify existing sewage service (treatment plants, transmission lines, etc.).

The property has a single bathroom in the historic building that contained a single commode and sink. These are inoperable at this time but will be restored with the issuance of building and plumbing permits.

2. Identify current wastewater usage.

As of this application, there is no wastewater usage as the bathroom has not been restored and the building is not approved for any use.

3. Describe any anticipated increase in wastewater demand and if necessary, any subsequent improvements.

When the bathroom is restored and the zoning approved, there will be a single toilet and sink on site. The septic system has a 1,250 gallon concrete tank and a 1,000 gallon capacity leach field. The system was approved for use by the Department of Health on April 21, 2022.

4. List any comments/recommendations received from government agencies.

No recommendations.

C. DRAINAGE

1. Describe existing drainage pattern.

The property slopes gently from mauka to makai at approximately 1.5 to 2 percent grade. A portion of the site has impervious surfaces with the roofs of two buildings and aging broken asphalt covering a portion of the site. Discussions with the community and hotel personnel have not brought out any particular drainage issues.

2. Describe existing drainage structures.

Current Planning Application Report (ZPA2022-00001)

There are no drainage structures on the property.

3. Describe any anticipated increase in drainage and if necessary, any subsequent improvements.

Though drainage has not been an issue, any runoff is expected to be reduced with the removal of the old asphalt and replacement with gravel. The gravel will be significantly more porous, thus allowing rainwater to percolate into the soil.

4. Describe any flood hazard impact.

As described before, the property is located in flood zones X and XS. Zone X is the area determined to be outside the 0.2 percent annual chance of floodplain, meaning there is a very low probability of flooding. Zone XS, areas in 0.2 percent annual chance of flood, or 1 percent annual chance of flood with average depths of less than 1 foot, or with drainage areas less than 1 square miles; and areas protected by levees from 1 percent annual chance of flood. This is also an area of low probability of flooding. A FHAT map will be uploaded as one of the figures under G1.

D. ROADWAYS, CURBS, GUTTERS AND SIDEWALKS

1. Describe existing roadway conditions including width of right-of-way, pavement width, improvements such as curbs, gutters, sidewalks, deceleration/acceleration lanes.

The subject property is located at the corner of Hana Highway and Keawa Place. Hana Highway in this area is approximately 20-25 feet in width, Keawa Place is approximately 20 feet.

2. Describe existing and proposed ingress and egress into and from the site.

The property has a single driveway on Keawa Place approximately 70 feet from Hana Highway. This driveway is long established and was used during the time the hotel used the property for their laundry as well as personnel and housekeeping offices, possibly before.

3. Describe any proposed roadway condition improvements.

No necessary roadway improvements have been identified considering the small size of the proposed use.

4. Comprehensively describe traffic impacts in and around the project site.

Many visitors want to experience the natural beauty of East Maui and traveling the Hana Highway is considered one of the most beautiful journeys in the United States. The roadway and Hana Town itself are considered destinations because of their beauty, history, culture, environment, and lifestyle.

Most visitors are "day-visitors" who drive on their own or in tour buses. They arrive in town, explore, purchase goods and food, then return to their hotels on the more western side of the island.

Other visitors are there for overnight experiences and Hana Town. Accommodations are sought where people can relax and more thoroughly involve themselves in the town, its people, and beauty. There are several accommodations in the urban area of town, most notably the Hana Maui Resort. This resort is situated on the primary, 14.65-acre hotel site and another 12.75 acres for the cottages.

Due to its size and configuration in comparison to the overall journey and experience, the Hana Store Storage Building is unlikely to ever be considered a destination unto itself. Visits to this building would only be an incidental part of anyone's trip to Hana.

As a result, rezoning this property will not generate new traffic. There are no anticipated impacts concerning traffic.

5. List any comments/recommendations received from Department of Public Works or State DOT.

Comments from the Department of Public Works or State Department of Transportation will be forthcoming with the review of this application.

E. ELECTRICAL, TELEPHONE AND CABLE

1. Describe existing and proposed utilities.

Power to the site is from overhead power lines on Hana Highway. The proposed uses will require considerably less power than the former commercial laundry, therefore there are no anticipated impacts in relation to electrical supply. Telephone and cable are available to the site.

F. SOLID WASTE

1. Solid Waste Landfill Site

Hana Landfill

2. Solid Waste Facilities Adequacy

The Hana landfill is approximately 35 acres in size and operates under a State Land Use Special Use Permit, a County Special Use Permit, and a SMA major permit. As documented by these permits, the landfill is expected to have capacity until 2096.

3. Describe your plans for solid waste disposal and recycling.

Solid waste will be generated by commercial activities on the property, the amount will be dependent on the specific business occupying the structure. Because of the small size of the buildings and the proposed uses within them, it is estimated that a typical retail store may generate approximately 10 to 40 pounds of solid waste per day. It would vary from week to week according to the actual, variable use in the building and when deliveries take place. Due to the limited size of the property as well as the small buildings, the amount of solid waste is expected to be insignificant.

4. List any comments/recommendations received from government agencies.

The CRC's comments and approval will be uploaded as comment document "IIG12 Comments CRC. Comments from other agencies will be forthcoming with the review of this application.

G. OTHER

1. Describe any other infrastructure requirements

There are no known special infrastructural requirements for this project.

IV. Public Services

A. PARKS

1. List any County or other local community/recreational facilities that serve your site.

The Hana area has several recreational facilities including Hana Bay Beach Park, Hana Community Center, Helene Hall, Hana Ballfield, and Paanimai Park.

2. Select the State community/recreational facilities that serve your site.

N/A

3. Identify any impacts of your proposed project to those facilities.

The proposed use is not of a scope or in a location that would affect any of these facilities.

Current Planning Application Report (ZPA2022-00001)

4. Describe any additional public facility requirements to serve your site.

There are no public facilities requirements for this project.

B. SCHOOLS

1. Select the Public School Facilities which serve your site.

Hana Schools

2. Identify any impacts of your proposed project to those facilities.

The proposed project is not anticipated to have an effect on public schools because it will not affect the population in the area.

C. PUBLIC SERVICES

1. Select the fire station that serves your area.

Hana Fire Station

2. Describe the fire protection for your site.

The property is served by the Hana Fire Station approximately 0.6 miles away on Hana Highway. There are two hydrants near the subject property. One is located on Keawa Place approximately 85 feet from the subject property. The other is about 160 feet away close to the corner of Keawa Place and Hana Highway, and is located on the hotel grounds almost adjacent to Hana Highway.

3. Select the library that serves your area.

Hana Public and School Library

4. Select the police station that serves your area

Hana Police Station

5. Select the hospital that serves your area.

Hana Medical Center

6. Describe any additional public services to serve your site.

V. Other Info-Code, DBA & MBA

A. PROVIDE THE OTHER BELOW INFORMATION REQUIRED BY ZONING CODE SECTION 19.510.010

1. A detailed land use history of the subject parcel(s) to include former and existing state and county land use designations, violations, and uses.

This space does not provide sufficient room for a detailed land use history. It will be uploaded as a separate document, "VA1 Application Narrative Detailed Land Use History"

2. An analysis of secondary impacts of the proposed use on surrounding uses.

The project is compatible with surrounding land uses. Across the street is the Hotel, a use which also has a number of associated business uses already. To the North and East are single family homes, uses which were established when the historic building was used for a laundry and other commercial uses operated on the property. The proposed conditional zoning will limit commercial activities to those uses which would be less intense than some otherwise permissible within the district. To the west are open pasturelands, the business uses are not expected to affect the use of those lands.

The project is not expected to affect nearby property values. Normally values increase with the granting of entitlements or sales of comparable properties. The nearby residential uses are not comparable to the proposed business uses and rezoning this property does not convey any entitlements to them. It will not affect the hotel property as it is already fully entitled. It will also not affect the pastureland because the state agricultural district and county entitlements are fundamentally different.

Other secondary impacts are discussed in section IIF1 above.

3. Identify any traditional beach and mountain access trails and additional trails which may be required for public access, and, if applicable, a preservation/mitigation plan and comments from the Department of Land and Natural Resources and the Office of Hawaiian Affairs.

There are no known traditional beach or mountain accesses through the property.

4. Identify and provide an assessment of chemicals and fertilizers used, including, but not limited to, detailing effects upon surface, underground and marine water resources and neighboring properties and surrounding flora and fauna, and if applicable, a mitigation plan and maintenance program and schedule, and comments from the Departments of Health and of Land and Natural Resources of the State, the United States Fish and Wildlife Service, and the United States Environmental Protection Agency.

Chemicals used on the property would mostly fall into the household variety to control insects or vegetation. Because there has not been any agriculture on the property for well more than 100 years and a significant portion of the property is covered with impervious surfaces, their use has been minor and incidental. The only chemicals used in any quantity would be attributed to the commercial laundry that ceased operations more than 10 years ago. There are no records of what was used, but it is expected they would include detergents and bleaches, mostly for bedding and towels as related to the hotel.

B. DISTRICT BOUNDARY AMENDMENTS

1. For District Boundary Amendments, describe how the applicable criteria from sections 15-15-18 through 15-15-21 of the Land Use Commission rules are met.

N/A

C. Maui Island Plan Amendments

Complete this section if your project requires a Maui Island Plan Amendment. Review the Guiding Land Use Principles below for their relevance to your project and describe how your project supports each relevant principle. If your project does not require a Maui Island Plan Amendment, go on to the next section.

CRITERIA FOR GROWTH BOUNDARY AMENDMENTS. SELECT THE RELEVANT LAND USE PRINCIPLES FROM CHAPTER 8, DIRECTED GROWTH PLAN OF THE MAUI ISLAND PLAN AND DESCRIBE HOW YOUR PROPOSAL SUPPORTS AN AMENDMENT TO A GROWTH BOUNDARY. WHERE IT DOES NOT SUPPORT A GUIDING LAND USE PRINCIPLE, DISCUSS WHY YOUR PROPOSAL IS JUSTIFIED. Consult the land use principles, themes, goals, policies and implementing actions of the Maui Island Plan for guidance. Review chapters 7 and 8, the Planned Growth Areas in chapter 8, and Table 8-2 in chapter 8 of the Maui Island Plan to help you answer how your project addresses each land use principle below.

Guiding Land Use Principles

Current Planning Application Report (ZPA2022-00001)

1. Respect and encourage island lifestyles, cultures, and Hawaiian traditions: The culture and lifestyle of Maui's residents is closely tied to the island's beauty and natural resources. Maintaining access to shoreline and mountain resources and protecting culturally significant sites and regions perpetuates the island lifestyle and protects Maui's unique identity. One of the most vital components of the island lifestyle and culture is Maui's people. In an island environment where resources are finite, future growth must give priority to the needs of residents in a way that perpetuates island lifestyles.

2. Promote sustainable land use planning and livable communities: Managing and directing future growth on Maui should promote the concept of sustainability, and the establishment of livable communities. Sustainable practices include: 1) Focusing growth into existing communities; 2) Taking advantage of infill and redevelopment opportunities; 3) Promoting compact, walkable, mixed-use development; 4) Revitalizing urban and town centers; 5) Providing transportation connectivity and multimodal opportunities; 6) Protecting and enhancing natural and environmental resources; 7) Protecting, enhancing, and expanding communities and small towns, where appropriate; and 8) Encouraging energy and water-efficient design and renewable energy technology.

3. Keep "urban-urban" and keep "country-country": Given the high cost of developing public infrastructure and facilities to service remote areas, the significant environmental and social impacts associated with long vehicle commutes, and the desire to "keep the country-side country" it is preferable to develop compact communities and to locate development within or as close as possible to existing urban areas and employment centers.

4. Protect traditional small towns: Development within and adjacent to Maui's traditional towns should be compatible with and perpetuate their unique character. Hard edges should be maintained around new and existing communities through the use of greenbelts and significant open space.

5. Protect open space and working agricultural landscapes: In light of continuing urbanization, the protection of agricultural and open-space resources will depend on a healthy agricultural industry and progressive planning and regulation. Planning should utilize agricultural lands as a tool to define the edges of existing and planned urban communities, apply innovative site design, create buffers along roadways, provide visual relief, and preserve scenic views.

6. Protect environmentally sensitive lands and natural resources: Environmentally sensitive lands, natural areas, and valued open spaces should be preserved. Native habitat, floodways, and steep slopes should be identified so future growth can be directed away from these areas. It will be important to plan growth on Maui in a manner that preserves habitat connectivity, watersheds, undeveloped shoreline areas, and other environmentally sensitive lands.

7. Promote equitable development that meets the needs of each community: Each region of the island should have a mix of housing types, convenient public transit, and employment centers. Where appropriate, all neighborhoods should have adequate parks, community centers, greenways, libraries, and other public facilities. No community should have a disproportionate share of noxious activities. Additionally, a fair, efficient, and predictable planning and regulatory process must be provided. A cornerstone of equitable development should reflect a focus on providing affordable housing for all of Maui's residents over developing nonresident housing.

8. Plan for and provide efficient and effective public facilities and infrastructure: Many of Maui's public infrastructure systems and facilities were constructed decades ago and are in need of repairs and upgrades to meet current and future demand. Growth should be planned for areas with existing infrastructure, or where infrastructure can be expanded with minimal financial burden to the public. Transportation infrastructure should be designed to be in harmony with the surrounding area.

9. Support sustainable economic development and the needs of small business: Land use decisions should promote and support sustainable business activities.

10. Promote community responsibility, empowerment, and uniqueness: The development of community plans should be a broad-based, inclusive process. The community plans shall be reviewed by the Community Plan Advisory Committees, the planning commissions, and approved by the Council. The MIP shall provide a framework for the updated community plans. Subsequent proposed community plan amendments should be subject, as much as possible, to local community input.

VI. Long Range Planning_Info

A. PERMITS REQUESTED

1. What Permits Are You Applying For?

Change of Zoning

B. RESIDENTIAL PROJECTS

1. How many single-family units?

0

2. Will any accessory dwellings be permitted?

No

3. If yes, how many?

0

4. How many multi-family units are you building?

0

5. Are you subdividing your property?

No

6. If yes, how many buildable lots are you requesting to create?

0

7. How many acres, or square feet, is the project site?

21711

8. If only a portion of the property is going to be used for this project, how many acres or square feet will be used just for the project?

21711

C. LAND USE ENTITLEMENTS

Current Planning Application Report (ZPA2022-00001)

Will This Project Require Land Use Amendments? (Check All That Apply)

1. Change of Zoning (COZ)

Yes

2. Change of Zoning (COZ) From:

Urban Reserve

3. Change of Zoning (COZ) To:

Conditional BCT

4. Community Plan Amendment

No

5. Community Plan Amendment From

N/A

6. Community Plan Amendment To:

N/A

7. State Land Use District Boundary Amendment

No

8. State Land Use District Boundary Amendment From:

N/A

9. State Land Use District Boundary Amendment To:

N/A

10. Maui Island Plan Designation Change

No

11. Maui Island Plan Designation Change From:

N/A

12. Maui Island Plan Designation Change To:

N/A

13. Will you be selling any of the units as "affordable" as defined under HUD guidelines?

No

14. If yes, how many units, or percentage of units will fall under this category?

0

15. From the date of filing the application with the Planning Dept, how long do you estimate the project to reach complete build-out?

0-5 years

D. INDUSTRIAL / COMMERCIAL PROJECTS

WILL THIS PROPERTY BE USED FOR: (List all that apply by providing the square footage proposed)?

1. Retail Purposes

Unknown at this time, see the proposed conditions of zoning

2. Office Space/Lease

Unknown at this time, see the proposed conditions of zoning

3. Industrial Purposes

N/A

E. BED AND BREAKFAST (B&B), SHORT-TERM RENTAL (STRH) AND TRANSIENT VACATION RENTALS (TVRs)

1. Will the project have a B&B, STRH, or TVR component?

No

2. Will (any of) the unit(s) be owner occupied?

N/A

3. How many bedrooms are proposed for rental?

N/A

4. Will this project be newly constructed?

N/A

5. How many dwellings are entirely rented to visitors?

0

F. VISITOR ACCOMMODATIONS

1. Table 1: Hotels and Timeshares

Accommodation 1: N/A

Units/Rooms 1: 0

Lock-offs 1: N/A

of Units with Lock-Offs 1: 0

Attachment File Name

Added On

Added By

File Category

ApplicationNarrative project description.docx

07/01/2022

William Spence

Additional Application Narrative

Zoningconfirmationform.pdf

07/01/2022

William Spence

Other

500ftBoundaryMap.pdf

07/01/2022

William Spence

500 Foot Ownership List/Map

Current Planning Application Report (ZPA2022-00001)

Application Materials Hana Store Change of Zoning.pdf	09/22/2022	Kurt Wollenhaupt	Additional Application Narrative
ArchitecturalPlans.pdf	07/01/2022	William Spence	Architectural Plans
IH2 public outreach.pdf	07/01/2022	William Spence	Other
Figures.pdf	07/01/2022	William Spence	Figures
AffidavitofFilingofApplication.pdf	07/01/2022	William Spence	Affidavit of Mailing
CountywidePolicyPlanDetails.pdf	07/01/2022	William Spence	Countywide Policy Plan Details Form
IC Photographs.pdf	07/01/2022	William Spence	Photographs
CommunityPlanDetails.pdf	07/01/2022	William Spence	Community Plan Details Form
OwnershipDocuments.pdf	07/01/2022	William Spence	Ownership Documents for Planning
NoticeofFilingofApplication.pdf	07/01/2022	William Spence	Notice of Filing of Application
LegalDescriptionofProperty.pdf	07/01/2022	William Spence	Legal Description of Property
ProposedProjectDataSummarySheet.pdf	07/01/2022	William Spence	Other
Miscellaneous draft ordinance.pdf	07/01/2022	William Spence	Miscellaneous Plans, Surveys and Documentation
IIIA1 DWS Notification Letter_Private Water.pdf	07/01/2022	William Spence	Comments Regarding Application
IIG12 Comments CRC.pdf	07/01/2022	William Spence	Comments Regarding Application
MauilandPlanDetails.pdf	07/01/2022	William Spence	Maui Island Plan Details Form
500ftBoundaryList.pdf	07/01/2022	William Spence	500 Foot Ownership List/Map
LocationMap.pdf	07/01/2022	William Spence	Location Map
MapofLandUseChange.pdf	07/01/2022	William Spence	Map of Land Use Change
Notice of Public Hearing.pdf	07/01/2022	William Spence	Affidavit of Mailing
LetterofAuthorization.pdf	07/01/2022	William Spence	Letter of Authorization
IB1 proposed uses 19.15.020_Permitted_uses.pdf	07/01/2022	William Spence	Other
IIG EAE SMA 2022 combined.pdf	07/01/2022	William Spence	Comments Regarding Application
NotarizedAffidavitofMailingNoticeofPublicHearing.pdf	07/01/2022	William Spence	Affidavit of Mailing
ProjectAssessmentRequirementsChecklist.pdf	07/01/2022	William Spence	Other

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00002776	Application Fee - ZPA	\$2,876.00	\$2,876.00
Total for Invoice INV-00002776		\$2,876.00	\$2,876.00
Grand Total for Plan		\$2,876.00	\$2,876.00

Hana Store Storage Building Rezoning

9 Keawa Place, Hana
TMK 1-4-013:001

Application for a Conditional Change of Zoning Pursuant
to §19.510 of the Maui County Code,

Prepared for Mani Hana Resort (DE) LLC

Prepared by William Spence & Associates

July 1, 2022



Project Overview

The Hana Store Storage Building, also known as the “Old Laundry Building,” is one of the oldest structures in Hana town. Until recently the building was thought to be the store itself, but research by the Maui Planning Department brings to light it was a fireproof and secure storage structure for the wooden store that no longer exists.

The building is significant to the history of Hana and is listed on the Hawaii State Register of Historic Places, Site 50-13-1628. According to the nomination form it was built in about 1876; updated information, however, indicates the time more accurately as between 1882 and 1890 (Please see Appendix IV). This puts construction in roughly the same period as Wananalua Church (1842), and the Hana Courthouse (1871 or 1879).

The history of the property for commercial uses is extensive. In addition to the former storage for the store, the historic building was used for decades as the commercial laundry for the hotel. Building permits from the late 1970s and 1980s imply it may have also been used for beauty and gift shops. A wooden second structure was used for commercial purposes, including the hotel personnel office, the housekeeping office, and hotel storage. Storage containers for the hotel, a golf cart garage, and a permitted storage shed have also occupied the property.

Since the closure of the laundry in approximately 2010, the historic building has been abandoned and left to deteriorate. When Travaasa sold the hotel and associated properties to Mani Brothers Real Estate Group in 2019, this historic property was one of the assets. They recognized the value of the property in its history to Hana and have sought to stop its decay and preserve the building. They applied for SMA and EA exemptions to obtain building permits for its renovation. A part of the process involved review and approval by the Cultural Resources Commission. The applicants are committed to following the approvals, clearing the way for physical preservation and improvements to the structure.

The owners also wish to restore the commercial use of the property. While physical improvements may preserve the building, it cannot be used for much of anything because of the zoning. The Hana Community Plan (1994) recognizes the commercial history and nature of the property by designating it as “Business/Commercial,” but no business zoning was ever adopted. Instead, the property was zoned Urban Reserve by Ordinance 2597 in 1997. This district is very restrictive and does not allow much more

than a single-family home, utilities, and agriculture. None of these are appropriate or economically viable for this site, thus this application is to rezone the property from Urban Reserve to conditional Business Country Town (BCT).

The Maui County Code (MCC) 19.15 codifies BCT and under section 19.15.010, identifies Hana as a town appropriate for this district:

*"Examples of the country town concept are commercial areas of such communities as Makawao-Pukalani-Kula, Paia-Haiku, **Hana**, Lanai City, and Molokai."*

Like most zoning districts, BCT has a long list of permitted uses. In recognition of the site's history and its significant contribution to the character of Hana town, the owners do not believe all the uses allowed under BCT would be appropriate. For instance, MCC 19.15.020 permits gas stations, multi-family residences, and vacation rentals; none of which would be suitable for this historic building and site.

For this reason the owners believe the best course is to request conditional zoning, eliminating many of the normally permitted uses, and only listing those that would be appropriate, or appropriate with some modification, for this specific historic property. Please see Appendix I, draft bill for an ordinance with conditions.

By conditioning the zoning, the history and character of the property is preserved for generations to come and mitigate potential impacts on neighbors. A more detailed list of uses is found in section D7, regarding the general plan and the provisions of the applicable district, Appendix I with a draft ordinance, and Appendix II with an edited list of uses found in MCC 19.15.020 for easy comparison.

The format of this application follows the order of the "Project Assessment Requirements Checklist" from the Planning Department form and MCC 19.510.010.D.

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Application Forms and Checklists

D1. Owner Identification and signature or written authorization documents

D2. Owner's name, address, and phone number

D3. Agent's name, address, and phone number

D4. Tax map key and street address, if available

CHANGE OF ZONING APPLICATION

Please print legibly or type the following.

Permit Number(s): CIZ _____ - _____

PROPERTY ADDRESS & INFORMATION			
Project Name: Hana Store Rezoning	Tax Map Key No.: 1-4-013:001		
Total Area: 21,711 sq ft	Valuation*: \$400,000		
Physical Address/Location of Project: Keawa Place, Hana, 96713			
<small>* Total cost or fair market value, as estimated by an architect, engineer, or contractor licensed by the State of Hawaii Dept. of Commerce and Consumer Affairs; or, by the administrator of Dept. of Public Works, Development Services Administration.</small>			
DESCRIPTION OF PROPOSED ACTIVITY OR DEVELOPMENT			
Describe the existing use:			
Vacant historic structure from approximately 1876, storage building, storage containers			
Describe the proposed use:			
Rezone the property to conditional BCT, restore and renovate the building, to be occupied by the Hana Coast Gallery			
LAND USE DESIGNATIONS	Existing	Proposed	
State Land Use District Boundary	Urban	Urban	
Maui Island Plan	Small Town	Small Town	
Community Plan	Business/Commercial	Business/Commercial	
County Zoning	Urban Reserve	Business Country Town - conditional	
Other (i.e. SMA)	SMA	SMA	
CONTACT INFORMATION			
APPLICANT INFORMATION			
Name(s): Mani Hana Resort (DE) LLC		Email: dmani@manibrothers.com	
Mailing Address: 9200 Sunset Blvd, Ste 555, West Hollywood, CA 90069			
Phone Number(s)	(bus)	(hm)	(cell) (fax)
			213-820-3650 cell
Signature(s):		Date: 6/25/21	
CONSULTANT INFORMATION			
Name(s): William Spence & Associates		Email: mauiwill@gmail.com	
Mailing Address: P.O. Box 880267, Pukalani, HI 96788			
Phone Number(s)	(bus)	(hm)	(cell) (fax)
			808-280-2724 cell
Signature(s):		Date: 4/29/22	
OWNER INFORMATION			
Name(s): Mani Hana Resort (DE) LLC		Email: dmani@manibrothers.com	
Mailing Address: 9200 Sunset Blvd, Ste 555, West Hollywood, CA 90069			
Phone Number(s)	(bus)	(hm)	(cell) (fax)
			213-820-3650 cell
Signature(s):		Date: 6/25/21	

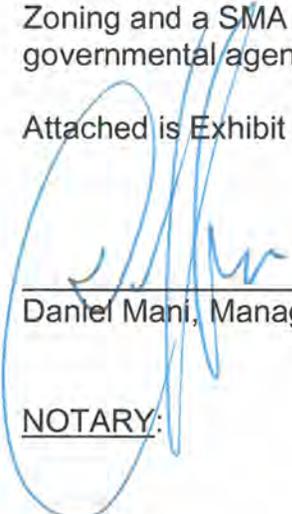
NOTARIZED LETTER OF AUTHORIZATION
TO APPLY FOR PERMITS

Date: June 24, 2021

Mani Hana Resort (DE), LLC, is the owner of a property identified for tax purposes as TMK 1-4-013:001, and for which the street address by Real Property Tax Records is shown as Keawa Place, Hana, Maui.

Mani Hana Resort (DE), LLC hereby authorizes William Spence of William Spence & Associates to prepare and process applications for a Change of Zoning and a SMA permit for this property and represent us before all applicable governmental agencies.

Attached is Exhibit A, identifying the managers of the LLC.



Daniel Mani, Manager

NOTARY:

ACKNOWLEDGEMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
)
County of Los Angeles)

On 6/24/2021, before me, Jorge J. Hidalgo a Notary Public, personally appeared DANIELA V. RUIZ, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/they authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature 

(Seal)

REQUIRED SUBMITTALS CHECKLIST

1. This **Change Of Zoning Application** with all pages completed.
2. Evidence that the Applicant is the owner of the real property to be reclassified; OR, if the Applicant is not the owner, a notarized letter of authorization from the owner authorizing the applicant to act on the owner's behalf AND evidence that identify the legal owner.
3. A copy of the **Notice of Application**, **location map** and **Notarized Affidavit of Mailing of Notice of Application**.
4. List of owners and lessees of real property within a 500 feet radius of the subject parcel boundaries shall be obtained from the most current available list at the Maui County Department of Finance, Real Property Tax Division. This list should include the tax map key numbers and the names and addresses of all owners, lessees, and members of the Board of Directors or managing agents to be notified, including a *parcel notification map* (The *parcel notification map* is a map drawn to scale, clearly identifying the 500 foot boundary surrounding the subject parcel and the parcels within the notification boundary).
5. **Zoning and Flood Confirmation form** (pg 5) completed and signed by Planning Dept.
6. Legal metes and bounds description of the subject property.
7. Map of the subject property and its surrounding properties, including their Tax Map Key numbers, on regular paper (8 ½" x 11" format). The map will not include the metes and bounds on it, nor signature lines or dates for any approvals (see sample on page 15).
8. Two (2) hard copies of a **Project Assessment** document which contains all the items listed in the *Project Assessment Requirements Checklist*.
Note: The Department will review the application and request additional copies for agency transmittal.
9. Any other information, as may be required.
10. A copy of the **Notice of Public Hearing**.
11. An electronic copy in PDF format of the entire application package on a compact disk or flash drive.
12. A **non refundable** filing fee payable to *County of Maui, Director of Finance*. (see [Fee Schedule, Table A](#) found on the Maui County website)

After reviewing the application packet and certifying that it is ready for processing the Applicant will be notified of the number of additional hard and digital copies to be provided for agency review.

PROJECT ASSESSMENT REQUIREMENTS CHECKLIST

Refer to Chapter 19.510, MCC. Compile the items listed below into a Project Assessment document, which may include elements of the Chapter 343, HRS environmental assessment or impact statement. In the "Location" column list the document and page number where each item is found.

D#	Assessment Content Description	Location
D1	Owner identification and signature or written authorization documents.	Application Form
D2	Owner's name, address, and phone number.	Application Form
D3	Agent's name, address, and phone number, if applicable.	Application Form
D4	Tax map key and street address, if available.	Application Form
D5	<i>Locational map</i> identifying the site, adjacent roadways, and landmarks (The purpose of <i>locational map</i> is to give an overview depicting the project site in relation to adjacent landmarks and geographic features. Possible formats include marked-up aerial photographs and the <i>location map</i> described on Page 2, among others.).	Pg. 6
D6	List of owners and lessees of record within 500 feet and the <i>parcel notification map</i> (described on Page 5).	Following Pg.7
D7	Analysis of ways in which application conforms to policies and objectives of General Plan, Community Plan and applicable district.	Pg. 19
D8	Detailed land use history of parcel(s) to include former and existing state and county land use designations, violations and uses.	Pg. 33
D9	Preliminary archaeological and historical data and comments from the Department of Land and Natural Resources (DLNR) and Office of Hawaiian Affairs (OHA). If applicable, a preservation /mitigation plan approved by DLNR and OHA.	Pg. 35
D10	Analysis of secondary impacts of the proposed use on surrounding uses.	Pg. 36
D11	Traffic impact analysis and, if applicable, a traffic master plan with comments from the Department of Transportation (DOT) and the Department of Public Works (DPW).	Pg. 38
D12	If applicable, an assessment of the impact the proposed use may have on agricultural use of the property with comments from The Department of Agriculture (DOA) and Natural Resources Conservation Service (NRCS).	Pg. 39
D13	Water source, supply and distribution analysis, and, if applicable, a water master plan which includes comments from the DLNR, Department of Water Supply (DWS), and DPW.	Pg. 39
D14	Sewage disposal analysis, and comments, if applicable, from the Department of Health (DOH), DLNR, Department of Environmental Management (DEM), and DWS.	Pg. 39
D15	Solid waste disposal analysis and comments, if applicable, from DOH, DLNR, DEM, and DWS.	Pg. 40

PROJECT ASSESSMENT REQUIREMENTS CHECKLIST

D#	Assessment Content Description	Location
D16	Identification of environmentally sensitive areas, habitat and botanical features, such as wetlands, streams, endangered plants, etc., and comments, if applicable, from DLNR, US Fish and Wildlife Service (USFWS), and US Army Core of Engineers (USACE).	Pg. 40
D17	Identification of the existing topographical and drainage patterns and any alterations proposed.	Pg. 40
D18	Identification and summary of all meetings held between Applicant and any community group.	Pg. 41
D19	Dated photographs of site or structure.	Appendix VIII
D20	Development schedule.	Pg. 42
D21	Schematic site development plans, if applicable, drawn to scale, which identify property lines and easements; location, size, spacing, setback and dimensions of all existing and proposed building, structures, improvements and uses; existing and proposed building elevations, sections, floor plans and site sections; topographic information showing existing features and conditions and proposed grading; existing and proposed landscaping which depicts open spaces, plantings and trees; existing and proposed roadways and accesses to the project and parking layout with dimensions; and shoreline, shoreline setback lines, stream and other setback lines.	Appendix III
D22	Operations and management of proposed use which may include: number of employees, housing plan, hours of operation, provisions for off-site parking.	Pg. 42
D23	Identification of traditional beach and mountain access trails and additional trails which may be required for public access, and, if applicable, a preservation/mitigation plan and comments from DLNR and OHA.	Pg. 42
D24	Identification and assessment of chemicals and fertilizers used, and, if applicable, a mitigation plan and maintenance program and schedule, and comments from DOH, DLNR, USFWS, and US Environmental Protection Agency (USEPA).	Pg. 43
D25	Any other information necessary to assess the application.	

NOTICE OF PUBLIC HEARING

DATE: _____

For: Mailing To Owners /Lessees and Publication in Newspaper

Please be informed that the undersigned has applied to the Maui Planning Commission for a **Change Of Zoning** for the following parcel(s):

- a. Tax Map Key No: 1-4-013:001 Sq.Ft./Acreage: 21,711
- b. Street Address: Keawa Place
- c. Land Use Designation: _____
 County Zoning from: Urban Reserve
 to: Business Country Town - Conditional
- d. Proposed Development: _____
Rezone the property to conditional BCT, restore and renovate the building, to be occupied by the Hana Coast Gallery

TO BE COMPLETED BY THE DEPARTMENT OF PLANNING:

Public Hearing Date: _____ **Time:** _____

Place: _____

Attached please find a *location map* identifying the location of the specific parcel(s) being considered in the request for a **Change of Zoning**.

The public hearing is held under the authority of Chapter 92, Hawaii Revised Statutes, Title 19 of the Maui County Code, and the appropriate Planning Commission rules.

Testimony relative to this request may be submitted in writing prior to the hearing to the appropriate Planning Commission c/o the County of Maui, Department of Planning, 2200 Main Street Suite 315, Wailuku, Maui, Hawaii, 96793, or presented in person at the time of the public hearing.

Information relative to the application is available for review at the Department of Planning, 2200 Main Street Suite 315, Wailuku, Maui, Hawaii; telephone (808) 270-7735; toll free from Molokai 1-800-272-0117 extension 7735; toll free from Lanai 1-800-272-0125, extension 7735.

<u>William Spence (consultant)</u>	<u>(808) 280-2724</u>
Name of Applicant	Telephone

 Signature
 P.O. Box 880267

 Mailing Address, No. & Street or PO Box
 Pukalani, HI 96788

 City, State, Zip Code

NOTARIZED AFFIDAVIT OF MAILING OF NOTICE OF PUBLIC HEARING

_____, being first duly sworn, on oath,
deposes and says:

1. Affiant is the applicant for a **Change Of Zoning** for land situated at _____, TMK: (2) _____
2. Affiant did on _____, deposit in the United States mail, postage prepaid, by certified or registered mail, return receipt requested, a copy of a Notice of Public Hearing with location map, a copy of which is attached hereto as "Exhibit A" and made a part hereof, addressed to each of the persons identified in the list of recorded owners and lessees identified as "Exhibit B," attached hereto and made a part hereof.
3. Thereafter, there was returned to the office of Affiant, the United States Post Office certified or registered mail receipts and return receipts which are attached hereto as "Exhibit C" and made a part hereof.

Further, Affiant sayeth naught.

Subscribed and sworn to me before me
this _____ day of _____,

[Stamp or Seal]

Notary Public, State of Hawaii

Print Name: _____
My commission expires: _____

NOTARY PUBLIC CERTIFICATION

Doc. Date: _____ # Pages: _____

Notary Name: _____ Judicial Circuit: _____

Doc. Description: _____

[Stamp or Seal]

Notary Signature: _____

Date: _____

LONG RANGE DIVISION – PROJECT DATABASE

PROPOSED PROJECT DATA SUMMARY SHEET

Applicant: Please complete this two (2) sided form. Complete only those items that are appropriate to your application(s). If you have any questions, please contact the **Long Range Planning Division at 270-7214.**

Date:	Project Name (if applicable): Hana Store Rezoning
Applicant's Name: William Spence (consultant)	What permits are you applying for? Change of Zoning, SMA
Property Tax Map Key (TMK) number: 1-4-013:001	Please give us a brief summary of your project, including the existing and proposed uses: Change zoning from UR to conditional BCT, SMA to do the restoration/renovation
Contact Phone Number: 808-280-2724	
E-mail Address: mauiwill@gmail.com	Developer Name: Property Owner Name: Mani Hana Resort (DE) LLC

Residential Projects: Single-Family and Multi-Family

- How many single family units (i.e., individual detached homes) are you building? _____
 a. Will accessory dwellings (i.e., ohanas) be permitted? If yes, how many? _____
- How many multi-family units (i.e., condo, apartment, or townhouse) are you building? _____
- Are you subdividing your property? Yes No
 a. If yes, how many buildable lots are you requesting to create? _____
- How many acres, or square feet, are at the project site? _____
- If only a portion of the property is going to be used for this project, how many acres or square feet will be used just for the project area? _____
- Will this project require land use amendments? Please check all that apply and indicate the proposed change
 - State Land Use District Yes No Not Sure from: _____ to: _____
Boundary
 - Maui Island Plan Yes No Not Sure from: _____ to: _____
 - Community Plan Yes No Not Sure from: _____ to: _____
 - Zoning Yes No Not Sure from: _____ to: _____
- Will you be selling any of the units as "affordable" as defined under the Housing and Urban Development guidelines? Yes No Not Sure
 a. If yes, how many of the units, or percentage of units, will fall under this category? _____
- From the date of filing the application with the Planning Department, how long do you estimate the project to reach complete build-out? Please check one (1) box.

<input type="checkbox"/> 0 - 5 years	<input type="checkbox"/> 6 - 10 years
<input type="checkbox"/> 11 - 15 years	<input type="checkbox"/> 16 - 20 years
<input type="checkbox"/> 21+ years	

Industrial/Commercial Projects

- Will this project be used for (please list all that apply by indicating the amount of square footage proposed):
 - Retail purposes: _____
Retail, commercial
 - Office space/lease: _____
 - Industrial purposes: _____

continued on next page...

PROPOSED PROJECT DATA SUMMARY SHEET

Visitor Accommodations

Hotels and Timeshares

- 1. Will this project have hotel units? Yes No
 - a. If yes, how many hotel units/rooms are proposed? _____
- 2. Will this project have timeshare units? Yes No
 - a. If yes, how many timeshare units/rooms are proposed? _____
- 3. Will there be "lock-off" units (i.e., a unit which can be partitioned to create two separate units)? Yes No
 - a. If yes, how many units will have "lock-off units"? _____

Bed and Breakfast (B&B) and Transient Vacation Rentals (TVRs)

- 1. Will (any of) the unit(s) be owner occupied? Yes No
- 2. How many bedrooms are proposed for rental? Yes No
 - one (1) bedroom two (2) bedrooms three (3) bedrooms
 - four (4) bedrooms 5+ bedrooms entire unit (i.e., condo/house/accessory dwelling)
- 3. Will this project be newly constructed? Yes No

NOTARIZED AFFIDAVIT OF MAILING OF NOTICE OF PUBLIC HEARING

William Spence

_____, being first duly sworn, on oath,
deposes and says:

1. Affiant is the applicant for a **Change Of Zoning** for land situated at
9 Keawa Place, Hana, TMK: (2) 1-4-013:001
2. Affiant did on _____, deposit in the United States mail, postage prepaid, by certified or registered mail, return receipt requested, a copy of a Notice of Public Hearing with location map, a copy of which is attached hereto as "Exhibit A" and made a part hereof, addressed to each of the persons identified in the list of recorded owners and lessees identified as "Exhibit B," attached hereto and made a part hereof.
3. Thereafter, there was returned to the office of Affiant, the United States Post Office certified or registered mail receipts and return receipts which are attached hereto as "Exhibit C" and made a part hereof.

Further, Affiant sayeth naught.

Subscribed and sworn to me before me
this _____ day of _____,

[Stamp or Seal]

Notary Public, State of Hawaii

Print Name: _____
My commission expires: _____

NOTARY PUBLIC CERTIFICATION

Doc. Date:	_____	# Pages:	_____
Notary Name:	_____	Judicial Circuit:	_____
Doc. Description:	_____ _____ _____ _____		
Notary Signature:	_____		
Date:	_____		

[Stamp or Seal]

D5. Location Map



D6. List of owners within 500 feet and Parcel Notification Map

Notice of Application

Notarized Affidavit of Mailing Notice of Application

140030090000
HANA RANCH LAND LLC
C/O BIO-LOGICAL CAPITAL LLC
1530 16TH ST, STE 350
DENVER CO 80202

140030570000 **Applicant**
MANI HANA RESORT (DE) LLC
9200 SUNSET BLVD STE 555
WEST HOLLYWOOD CA 90069

140040220000 **Applicant**
THE HOTEL HANA-MAUI CONDOMINIUMS
CONDO MASTER

140040220001 **Applicant**
MANI HANA RESORT (DE) LLC
9200 SUNSET BLVD STE 555
WEST HOLLYWOOD CA 90069

140040220002 **Applicant**
MANI HANA RESORT (DE) LLC
9200 SUNSET BLVD STE 555
WEST HOLLYWOOD CA 90069

140040220003 **Applicant**
MANI HANA RESORT (DE) LLC
9200 SUNSET BLVD STE 555
WEST HOLLYWOOD CA 90069

140040220004 **Applicant**
MANI HANA RESORT (DE) LLC
9200 SUNSET BLVD STE 555
WEST HOLLYWOOD CA 90069

140040220005 **Applicant**
MANI HANA RESORT (DE) LLC
9200 SUNSET BLVD STE 555
WEST HOLLYWOOD CA 90069

140040220006 **Applicant**
MANI HANA RESORT (DE) LLC
9200 SUNSET BLVD STE 555
WEST HOLLYWOOD CA 90069

140040220007 **Applicant**
MANI HANA RESORT (DE) LLC
9200 SUNSET BLVD STE 555
WEST HOLLYWOOD CA 90069

140040220008 **Applicant**
MANI HANA RESORT (DE) LLC
9200 SUNSET BLVD STE 555
WEST HOLLYWOOD CA 90069

140040220009 **Applicant**
MANI HANA RESORT (DE) LLC
9200 SUNSET BLVD STE 555
WEST HOLLYWOOD CA 90069

140040220010 **Applicant**
MANI HANA RESORT (DE) LLC
9200 SUNSET BLVD STE 555
WEST HOLLYWOOD CA 90069

140040220011 **Applicant**
MANI HANA RESORT (DE) LLC
9200 SUNSET BLVD STE 555
WEST HOLLYWOOD CA 90069

140040220012
ULUMALU HOLDINGS LTD
6119 GREENVILLE AVE 446
SAN ANTONIO TX 78206

140040220013 **Applicant**
MANI HANA CONDOS (DE) LLC
9200 SUNSET BLVD STE 555
WEST HOLLYWOOD CA 90069

140040220014 **Applicant**
MANI HANA CONDOS (DE) LLC
9200 SUNSET BLVD STE 555
WEST HOLLYWOOD CA 90069

140040220015 **Applicant**
MANI HANA CONDOS (DE) LLC
9200 SUNSET BLVD STE 555
WEST HOLLYWOOD CA 90069

140040220017 **Applicant**
MANI HANA CONDOS (DE) LLC
9200 SUNSET BLVD STE 555
WEST HOLLYWOOD CA 90069

140040220019
14 T LLC
C/O MANCINI, GEIGER & WELCH
305 E WAKEA AVE #200
KAHULUI HI 96732

140040220021
ALLEN FAMILY 1997 REV TRUST
PO BOX 350
CARMEL CA 93921

140130010000 **Applicant**
MANI HANA RESORT (DE) LLC
9200 SUNSET BLVD STE 555
WEST HOLLYWOOD CA 90069

140130020000
KIAMBAO, JOHN TRUST ESTATE
ATTN: OLIVEIRA-TUA, LISA
567 ONEHEE AVENUE
KAHULUI HI 96732

140130030000
MATSUDA, EDWIN & LUCY TRUST
PO BOX 94
HANA HI 96713

140130040000
FUHRMANN, CAROLYN LEILANI REV LVG
PO BOX 183
HANA HI 96713

140130050000
37 KEAWA PLACE HANA LLC
8389 PAWNEE LN
NIWOT CO 80503

140130060000
PARK, CALVIN KANOA
PO BOX 274
HANA HI 96713

140130070000
AKOI, STANLEY E
PO BOX 31
HANA HI 96713

140130080000
KEALOHA, PAUL P JR
229 LAHAINA ST
HILO HI 96720

140130180000
KAWAIAEA, DEREK D
PO BOX 185
HANA HI 96713

140130190000
KAWAIAEA, MILTON D JR
PO BOX 185
HANA HI 96713

140130220000
OLIVEIRA, IDA K
PO BOX 96
HANA HI 96713

140130250000
CASTRO, LAMBERT
PO BOX 334
HANA HI 96713

140130250000 **Redundant**
MALAIKINI, ROBERT
PO BOX 575
HANA HI 96713

140130280000
ESTRELLA, LINDA LOU TRUST
PO BOX 103
HANA HI 96713

140130310000
BRADLEY, ZAIDA M BAKER TRUST
15301 UPTON RD
EAST LANSING MI 48823

140130530000
DIEGO, LINDA M
PO BOX 263
HANA HI 96713

140130560000
ROBACK, SEAN I
1129 LOWER MAIN ST
WAILUKU HI 96793

140130640000
ETI HANA PROPERTIES
P O BOX 7
KAHULUI HI 96732

140130200000
MANJIU, SAKAE TRUST ESTATE
ATTN: LIND, DORIA SUCC TTEE
PO BOX 147
HANA HI 96713

140130230000
VILLIARIMO, DEMPSEY TRUST ESTATE
C/O SHAROLANN NANI LAY, TRUSTEE
PO BOX 444
HANA HI 96713

140130250000
KAMAI, WILLIAM K
PO BOX 83
HANA HI 96713

140130260000
DAVIDSON, GARY MORGAN
DAVIDSON, GARY & SATTERTHWAIT, PA
PO BOX 1003
HANA HI 96713

140130300000
GIBSON, KAHALA-ANN
PO BOX 155
HANA HI 96713

140130320000
MINN-CAREY JOINT REVOC TRUST
C/O MICHAEL PUUIKI MINN TRS
P O BOX 72
HANA HI 96713

140130540000
SINENCI, SEBASTIAN DOMINGO SR
40 ALAU ST
HANA HI 96713

140130570000
DIEGO, JEROME FAMILY TRUST
DIEGO, JEROME/JOSEFINA TTEES
PO BOX 265
HANA HI 96713

140130650000
BOECHE, DARYL KUNIH
PO BOX 757
HANA HI 96713

140130210000
ADAMS FAMILY TRUST OF 2006
C/O ADAMS, DANE TTEE
3500 CRESTLINE WAY
SOQUEL CA 95073

140130240000
KALANIOPIO, MARTHA K TRUST
PO BOX 92
HANA HI 96713

140130250000
MALAIKINI, ROBERT
PO BOX 575
HANA HI 96713

140130270000
HANCHETT-CHING, MARVIN/MILANETA TR
PO BOX 346
HANA HI 96713

140130300000
GIBSON, WILLIAM E
75-645 KULA KAI PL
KAILUA KONA HI 96740

140130330000
FUHRMANN, WILLIAM E M
PO BOX 183
HANA HI 96713

140130550000
HELEKAHI, BENJAMIN
PO BOX 316
HANA HI 96713

140130580000
ABREU, RODNEY MICHAEL
P O BOX 881
HANA HI 96713

140130660000
HANCHETT, JAY M M
PO BOX 1053
HANA HI 96713

NOTARIZED AFFIDAVIT OF MAILING OF NOTICE OF APPLICATION

William Spence, being first duly sworn on oath, deposes and says that:

1. Affiant is the applicant for a Change of Zoning for land situated at 9 Keawa Place, Hana, TMK (2): 1-4-013:001
2. Affiant did on June 29, 2022, deposit in the United States mail, postage prepaid, a copy of a Notice of Filing of Application with a location map, a copy of which is attached hereto as "Exhibit A" and made a part hereof, addressed to each of the persons identified in the list of recorded owners and lessees identified as "Exhibit B," attached hereto and made a part hereof.

Further, Affiant sayeth naught.

William Spence
subscribed and sworn to before me this 6 day of June, 2022

[Stamp or Seal]



Charlene L Sawyer
Notary Public, State of Hawaii
Print Name: CHARLENE L SAWYER
My commission expires: NOV 13 2023

NOTARY PUBLIC CERTIFICATION			
Doc. Date:	<u>6/29/2022</u>	# Pages:	<u>1</u>
Notary Name:	<u>CHARLENE L SAWYER</u>	Judicial Circuit:	<u>Second</u>
Doc. Description:	<u>affidavit of mailing of notice of application</u>		
Notary Signature:	<u><i>Charlene L Sawyer</i></u>		
Date:	<u>6/29/2022</u>		

[Stamp or Seal]



WILLIAM SPENCE & ASSOCIATES
LAND USE PLANNING AND CONSULTING

June 28, 2022

Dear Neighbor,

RE: Notice of Application - Hana Store Storage Building, TMK 1-4-013:001

Almost a year ago you were sent a letter to let you know the owners of what many refer to as the "old laundry building," or the "Hana Store," intend to change the zoning on the property. You may recall that the proposed zoning is Business Country Town, but it will be conditioned to limit the types of business uses that might go there. This letter went to all the property owners within 500 feet.

We are ready to file a change of zoning application with the Maui Planning Department. The enclosed form and map are a required part of the process, they are to let you know the application is being filed.

This is a public process, and you are welcome to review the application and any related documents with the Planning Department or myself. Some months from now a public hearing will be held by the Hana Advisory Committee, you will be sent another notification via certified mail letting you know the date, time, and location of the hearing.

In the meantime, and as always, please feel free to call me. My phone number is below, and my email address is mauiwill@gmail.com.

Sincerely,



William Spence

Enclosures

NOTICE OF APPLICATION

Date: 06/22/2022

TO: **OWNERS/LESSEES**

Please be advised that the undersigned has filed an application for a Change of Zoning with the County of Maui, Department of Planning for the following parcel(s):

1. Tax Map Key Number: (2) 1-4-013:001 (see attached map)
2. Street address: 9 Keawa Place, Hana
3. Land Use Designations and Change(s) Being Sought:

	<u>Existing</u>	<u>Proposed</u>
State Land Use District	<u>Urban</u>	<u>Urban</u>
Community Plan	<u>Business/Commercial</u>	<u>Business/Commercial</u>
Zoning	<u>Urban Reserve</u>	<u>Conditional Business Country Town</u>
Other	<u>SMA, Historic Registration</u>	<u>SMA, Historic Registration</u>

4. Description of the existing uses on the Property:
Vacant historic commercial building ("old laundry building"), and
wooden storage building

5. Description of the proposed development and uses on the Property:
To change the zoning to allow both the preservation of the historic building and
and use the property for limited commercial activities such as retail or office

The Applicant is responsible for ensuring accuracy of the information.

Owner/Applicant Name: <u>Daniel Mani for Mani Hana Resort (DE) LLC</u> Owner/Applicant Signature  Phone Number: <u>310-777-5070</u> Mailing Address: <u>9200 W. SUNSET BLVD. STESS</u> <u>WEST HOLLYWOOD, CA 90069</u>	Owner/Applicant Name: <u>William Spence (consultant)</u> Owner/Applicant Signature  Phone Number: <u>808-280-2724</u> Mailing Address: <u>P.O. Box 880267</u> <u>Pukalani, HI 96788</u>
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Overview



Legend

□ Parcels

Project Description and Analysis

Checklist Items D7 to D24

Project Description

Property Overview

The Hana Store Storage Building, also known as the “Old Laundry Building,” is in Hana at the corner of Hana Highway and Keawa Place, more than 1,000 feet from Hana Bay. The property is approximately 0.5 acres in size and is developed with three structures, the historic store storage building, a small storage/warehouse structure, and what was apparently a tool shed.

Until recently the historic stone building was thought to be the store itself, but research by the Maui Planning Department brings to light it was instead a fireproof and secure storage structure for the original wooden store that no longer exists.

The building is significant to the history of Hana, Maui, and the state, and is listed on the Hawaii State Register of Historic Places, Site 50-13-1628. According to the nomination form it was built in about 1876. Updated information, however, indicates the time more accurately as between 1882 and 1890 (Please see Appendix IV). This puts construction in roughly the same time period as Wananalua Church (1842), and the Hana Courthouse (1871 or 1879).

There are two sections to the building, the original, oldest portion is nearest Keawa Place. This area is about 970 square feet in size and is built from local stones, mortar, and clad with plaster. The corrugated metal roof is supported by the original steel trusses, which are a rare and significant aspect of the building. There is a secondary part of the building, a 450 square foot addition away from Keawa Place where a building permit dates it from 1962. This part is constructed of concrete blocks and contains a single restroom. The roof is also corrugated metal and is supported by wooden rafters. There is a single restroom between the two sections, it is about 44 square feet. The overall square footage of the building is 1,464 square feet.

A second structure on the property is currently in use for hotel storage. This wooden building has been used for many commercial uses over the years and modified each time to suit the particular use. It was also allowed to decay and is slated to be refurbished. It will retain its function as storage for the hotel.

The third structure is a small, 84-square-foot building permitted as a tool shed in 1986. There are no plans for this building at this time.

Physical Improvements

The Hana Resort Hotel and the owners, Mani Hana Resort (DE) LLC, have initiated the cleanup of the site and rehabilitation of the buildings. Special Management Area (SMA) Applications for their refurbishment and improve the property were filed in June and July of 2021. The first, assessment SMX 20210253 was filed to renovate the wooden storage building and repave the parking area. This was approved under SMA minor permit SM2 202200007.

Another application, SMX 20210213 was filed to rehabilitate the historic building. Planning Staff reviewed the proposed improvements and materials and drafted a report to the Cultural Resources Commission with recommendations. On February 3, 2022, the CRC reviewed the proposed project and recommended approval in accordance with the staff report. (Appendix IV). Subsequently, SMA minor permit No SM5 20220001 and Environmental Assessment Exemption No. EAE 2022-00002 were approved in accordance with these recommendations.

The renovations include:

- Repair the exterior and interior wall plaster as needed, and repaint the building. A lab was retained following staff recommendations to ensure the plaster used for repairs and the historic plasters are compatible.
- Replacement of the louvered windows to more period-correct wooden sash windows as recommended by staff. The steel-framed awning windows in the later building addition will be reglazed.
- The interior floor is broken in many places from the hotel laundry days. The old plumbing will be filled and the floor repaired. New, to-code plumbing and electrical will be installed.
- A new corrugated, insulated roof will be installed.
- The wooden storage structure at the rear of the property was approved to be renovated.
- The single bathroom will be restored.
- The old pavement will be removed and replaced mostly with gravel.

History of Commercial Use

The property has more than 100 years of commercial use. As the name indicates, it was first used in conjunction with a general store, one of the two original stores in Hana. The stone building that stands today was not the store itself, but it was constructed as secure, fireproof storage and was immediately adjacent to the store. The nomination

form to the State Register of Historic Places (Appendix IV) suggests that it was converted into the hotel laundry during the years of Paul Fagan, roughly in the late 1940s and into the early 1950s. This predates any land use regulation in the Hawaiian Islands.

Records available on the County's website for public documents imply the structure may have been used for several commercial uses. Building permit 389 from February 22, 1977, indicates where there was a "laundry/boiler," there would be a "gift shop/deck." (Appendix V)

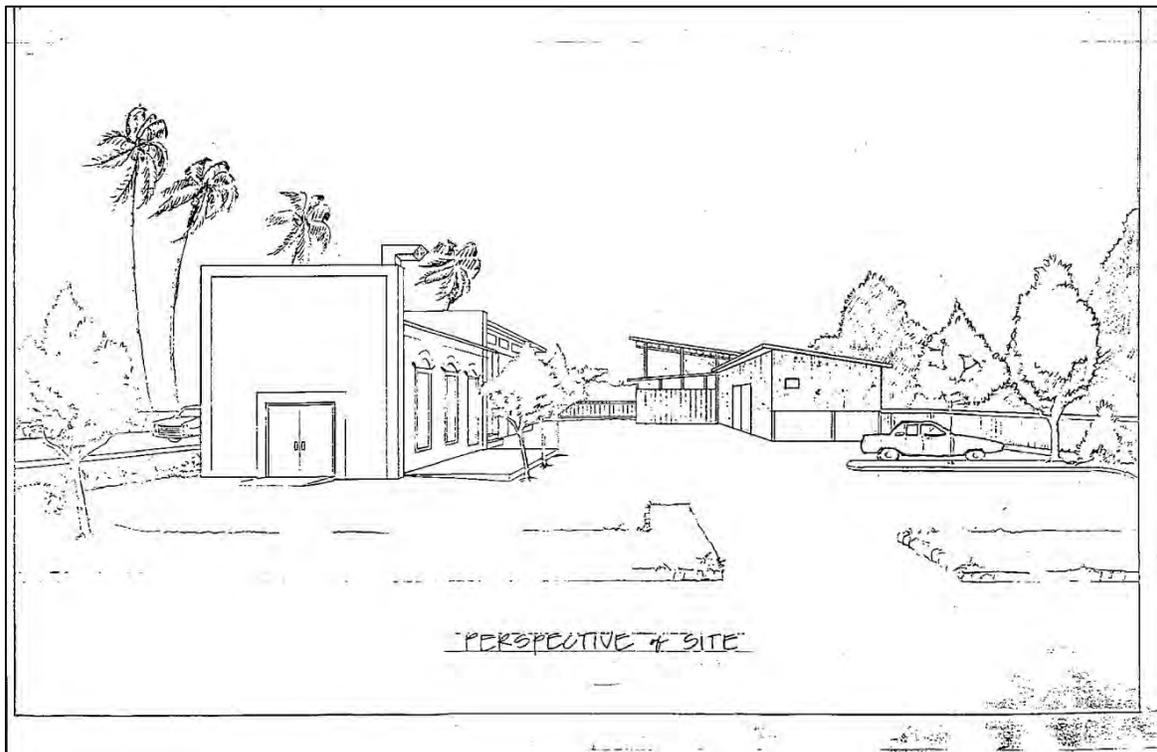


Figure 1, Illustration from SMA 1990-0043 showing commercial use of the property

In approximately 2010, former owner Travaasa closed the laundry operation because of EPA regulations addressing large capacity cesspools. The cesspool was closed and filled with concrete shortly thereafter.

The wooden storage building has been used for many things. Building permit 387 refers to the "warehouse/garage" to be occupied as a "beauty shop/laundry." This building was enlarged in 1986 by 608 square feet. An SMA permit from 1990s (1990-0043) indicates this building was used for the hotel's personnel and housekeeping offices. The same permit provided for upgrading the parking lot, placement of two shipping containers, and construction of a golf cart garage. This structure is still used for limited hotel storage. As it is today, the building is not very secure, nor does it protect its contents from the weather as it should.

Zoning Request

The applicants are following the Hana Community Plan and propose to restore commercial uses by rezoning the property. Although the 1994 community plan designates the property as "Business/commercial," the property was zoned from Interim to "Urban Reserve" in 1997 by Ordinance 2597. Urban Reserve is found under MCC 19.69, with a portion of the purpose is "*Accommodating a reserve of lands in the state urban district for future development which is consistent with the community plan designation for these lands.*" The concept in 1997 was because Hana is a small town and this property is significant, there would be business zoning at some time, but additional review should be required. This application represents that additional review, consistent with the community plan. A detailed land-use history is found in section D8.

Urban Reserve is one of the most restrictive zoning districts within Title 19, not allowing much more than a single-family home, utilities, and agriculture. None of these are economically viable nor desirable on this historic site.

Returning the property to commercial uses requires the zoning be changed. The community plan defines the "Business/Commercial" designation as, "*This includes retail stores, offices, entertainment enterprises, and related accessory uses.*" This is an appropriate designation for a property with such a long history of commercial activity. And as noted, the Maui County Code (MCC) Section 19.15.010 for , identifies Hana as one of Maui County's country towns.

Though BCT is the proper zoning district, the applicants recognize the significant history of the site and its place in Hana Town and would like to approach the rezoning with thoughtfulness toward the community. Not all the permitted uses in BCT are appropriate for this property, so this request to the County Council for a change of zoning is for conditional zoning. As proposed, only some of the regularly permitted uses would be allowed, such as retail, general office, museums, or art and music studios. Other uses, such as a restaurant, would require some additional community review. This is thought to be necessary to avoid the possibility of such uses as a chain restaurant from occupying the structure.

Other normally permitted uses would be eliminated. The applicant believes that such things as a gas station, vacation rentals, and multifamily homes could not be compatible with the historic site and therefore should be eliminated as permitted uses. A comprehensive list of proposed uses is in section D7 regarding the general plan and the provisions of the applicable district, also see Appendices I and II.

Property Description and Environmental Setting

The property is identified as TMK 1-4-013:001 and is 21,711 square feet or 0.498 acres in size. It is at the corner of Keawa Place and Hana Highway, just across the street from the Hana Maui Resort hotel. It is more than 1,000 feet from the ocean and at an elevation of about 105 feet above mean sea level.

Without reiterating the project description, the property has two primary buildings, the historic building is the Hana Store Storage Building or the "Old Laundry Building," and a wooden building that once housed hotel offices. This historic building is listed on the State Register of Historic Places, site No. 50-12-1628.



Figure 2, Vicinity Map

The property has the following land use designations or entitlements:

- State District: Urban
- Maui Island Plan: Within the Small Town Growth Boundary
- Hana Community Plan: Business/Commercial
- Maui County Zoning: Urban Reserve
- Other: Within the SMA and State Register of Historic Places

The surrounding land uses are:

- North - Single Family Residences
- South - Hotel
- East - Single Family Residences
- West - Hana Highway and agricultural pastureland

There is a mixture of land uses surrounding the subject property, the details of which are more thoroughly discussed below in Section D10, Analysis of Secondary Impacts on

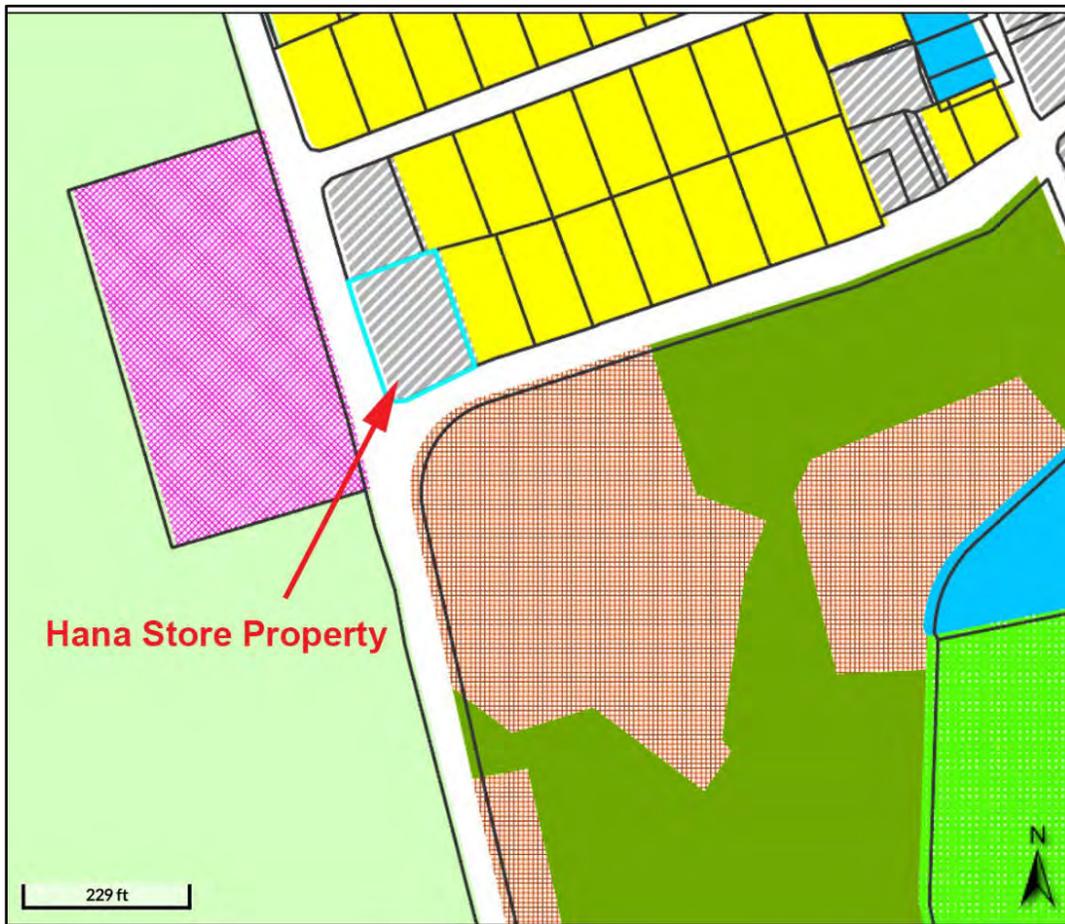


Figure 3, Current zoning map showing Urban Reserve

Figure 2, Current zoning map indicating Urban Reserve Surrounding Uses. In brief, across the street to the south is the Hana Hotel Resort, which is also owned by the applicant. To the north and east (makai) are single-family residences from a subdivision established in the 1960s. Immediately west (mauka) is Hana Highway and agricultural pastureland.

Existing Environment, Potential Impacts, and Mitigation

A. Climate

Existing Conditions: The climate in Hana is what most would characterize as tropical. According to U.S Climate Data (<https://www.usclimatedata.com>), the high temperatures during the summer can reach 85 degrees, the lows during the winter months will reach into the mid-'60s. Hana has consistent breezes of 10-15 mph, though gustier conditions are common. The Rainfall Atlas by the University of Hawai'i reports rainfall in Hana from the Hana Ranch Station located approximately one-third mile from the subject property. It indicates rainfall reports the area at approximately 66.45 inches/year.

Potential Impacts and Mitigation Measures: The proposed action is not anticipated to adversely affect climatic conditions in the area. Landscaping, including shade trees in the parking lot, will be incorporated into the project to take advantage of the natural cooling effects of shading.

B. Topography and Soils

Existing Conditions: According to the USDA Web Soil Survey, the soil in the immediate area is classified as "Hana silty clay loam," with slopes between 3 to 15 percent and a depth of between 20 to 40 inches. It is well-drained and not considered "prime farmland." The property is not rated by the University of Hawaii Detailed Land Classification for the Island of Maui, or by ALISH because the property is in the State Urban District.

Potential Impacts and Mitigation Measures: Rehabilitating the property will result in replacing the old broken asphalt and replacing it with gravel and grasscrete in one or two locations. This activity will not alter the topography of the site.

The Maui Planning Commission's rules for the Special Management Area (SMA) require review for this and other improvements. Application SMX 20210253 was

submitted in mid-2021 and was approved on April 26, 2022, minor SMA permit No. SM2 202200007 (note this approval involves assessment of several potential impacts, these are discussed elsewhere as well). As a result of this review, no impacts are anticipated with regard to soils. Please see Appendix VI.

C. Flood, Tsunami, and Sea Level Rise Hazard

Existing Conditions: Flood, tsunami, and sea-level rise hazards are associated with the movement of water, either from mauka to makai crossing a site, from the ocean because of an event, or from the gradual rising of the sea levels. This section discusses the associated risks from these water hazards as related to this project site.

Potential Impacts and Mitigation Measures:

(i) Flood Hazard.

The Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program and generates maps that designate properties into several flood zones according to a particular hazard. The hazards may be from conditions resulting from rainfall, or in the case of coastal properties, from tsunami inundation or high waves



Figure 4, Flood Zones

According to Panel Number 150003 0670E of the Flood Insurance Rate Map, dated November 4, 2015, the project site is situated partially in two flood zones. Flood Zone X is the area determined to be outside the 0.2 percent annual chance of floodplain, meaning there is a very low probability of flooding. The second zone XS, areas in 0.2 percent annual chance of flood, or 1 percent annual chance of flood with average depths of less than 1 foot, or with drainage areas less than 1 square miles; and areas protected by levees from 1 percent annual chance of flood. This is also an area of low probability of flooding. No impacts are anticipated concerning flood zones.

(ii) Tsunami Hazard.

The Hawaiian Islands are subject to long high sea waves referred to as tsunamis. These potentially destructive waves are caused by earthquakes, submarine landslides, or other disturbances. They may be generated from undersea or on different continents far from the Hawaiian Islands.



Figure 5, Tsunami Inundation Zones

The project site is approximately 800 feet from the Tsunami Evacuation Zone, and 550 feet from the Extreme Tsunami Evacuation Zone. As a result, there is a minimal threat of tsunami inundation to the property.

(iii) Sea Level Rise

The University of Hawai'i publishes an interactive sea level rise viewer at <https://www.pacioos.hawaii.edu/shoreline/slr-hawaii/>. This tool has a number of tools and layers that can be helpful in evaluating the risk of a property for potential impacts as a result of sea level rise. In this case, the Sea Level Rise Exposure Area was set at 3.2 meters, illustrating a conceptual "worst case" impact for the site. At approximately 103 feet above sea level and more than 1,000 feet from Hana Bay, the viewer indicates there is virtually no risk from rising oceans at this property.

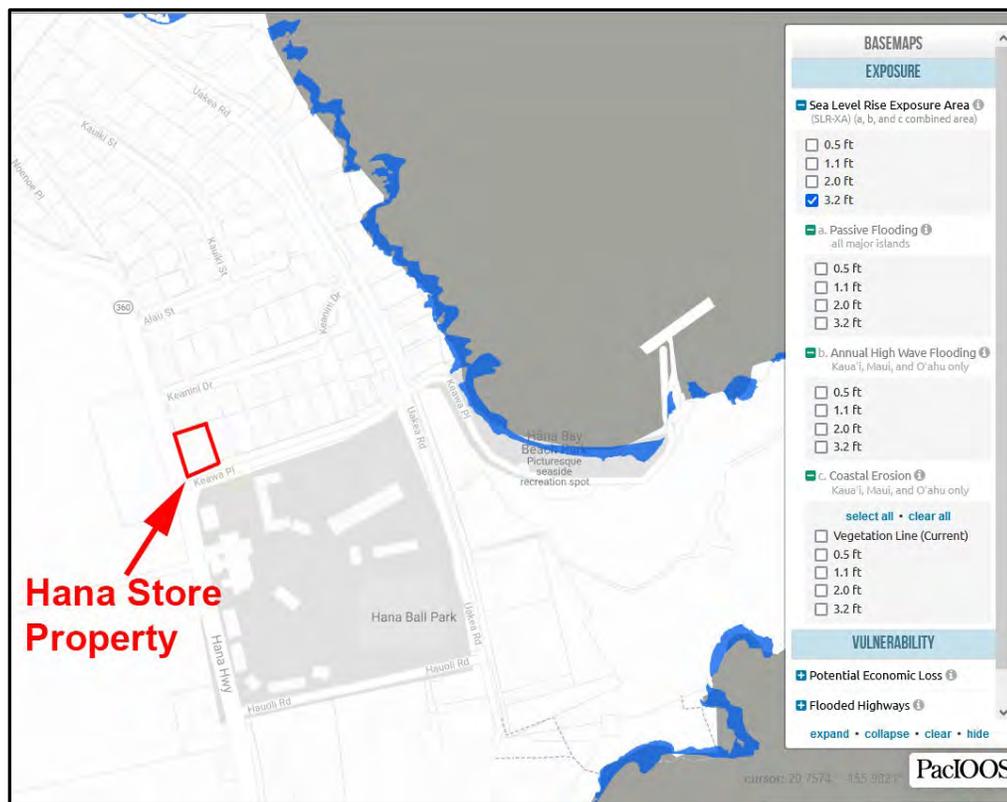


Figure 6, Sea Level Rise Exposure Area

D7 Policies and objectives of the general plan, community plan, provisions of the applicable district.

The general plan, as applied to this project, is comprised of three documents:

- Countywide Policy Plan, 2010. This is a document contains broad policies and objectives applicable to the entire county and which portray a desired direction for the future.
- Maui Island Plan, 2012, applies to Maui Island and is more specific in its application than the Policy Plan. The document is intended to be applicable island-wide, but many of the Policies and Objectives are directly applicable to this property and the rezoning request.
- Hana Community Plan, 1994. This is the most specific policy document applicable to the Hana region. Though dated, the plan has many objectives and policies that still pertain to this property and the proposed conditional zoning.

The following policies and objectives contained in these three documents are or may be applicable to this request for zoning.

Countywide Policy Plan

B. Preserve Local Cultures and Traditions

Objective 3. Preserve for present and future generations the opportunity to know and experience the arts, culture, and history of Maui County.

Discussion: The Hana Store Storage Building is one of the oldest buildings in Hana, reflective of the culture and history of the town. As it is now, the building has fallen into disrepair and is not readily available to the public. With a long history of commercial use, restoring the property to another commercial use through rezoning will result in protecting the building and making it available to the public.

Objective 4. Preserve and restore significant historic architecture, structures, cultural sites, cultural districts, and cultural landscapes.

Policies:

- b. Promote the rehabilitation and adaptive reuse of historic sites, buildings, and

structures to perpetuate a traditional sense of place.

- f. Perpetuate the authentic character and historic integrity of rural communities and small towns.
- j. Support the registering of important historic sites on the State and Federal historic registers

Discussion: These policies emphasize the importance of historic sites for all of Maui but they also apply to this property. Changing the zoning on the property will allow economically viable and sustainable use of the building, thus directly aiding in its restoration and preservation. Restoring it to a functioning commercial building will also provide direct access to the public so they can experience a part of Maui's history.

F. Strengthen the Local Economy

Goal: Maui County's economy will be diverse, sustainable, and supportive of community values.

Objective 1. Promote an economic climate that will encourage diversification of the County's economic base and a sustainable rate of economic growth.

Policies:

- a. Support economic decisions that create long-term benefits.
- d. Support and promote locally produced products and locally owned operations and businesses that benefit local communities and meet local demand.
- j. Support efforts to improve conditions that foster economic vitality in our historic small towns.
- l. Support public and private entities that assist entrepreneurs in establishing locally operated businesses.

Discussion: The current Urban Reserve zoning prohibits any economically viable use of the property. Rezoning to the community plan designation of "Business/Commercial" will promote sustainable economic uses within the community, while maintaining the character and the history of Hana town.

Because of the size, only a small business can occupy the historic structure, thus maintaining a long-term benefit to the local economy.

Further, because the applicant proposes to limit the types of uses allowed by the zoning, it is anticipated that future uses will also be compatible with the character of the town.

Objective 4. Expand economic sectors that increase living-wage job choices and are compatible with community values.

Discussion: Objective 4 underscores the importance of small local businesses that fit well within the existing communities. While the exact business to occupy the building cannot be determined at this time, the proposed conditions of zoning will encourage the expansion of job choices compatible with the community plan.

J. Promote Sustainable Land Use and Growth Management

Objective 1 Improve land use management and implement a directed-growth strategy.

Policies

e. Encourage redevelopment and infill in existing communities on lands intended for urban use to protect productive farmland and open-space resources.

h. Direct new development in and around communities with existing infrastructure and service capacity, and protect natural, scenic, shoreline, and cultural resources.

Discussion: While reuse of an existing historic building would not be considered "development" in the traditional sense, the subject property is in the "Small Town" growth boundary in the Maui Island Plan. Considering 100 years of commercial use, new activities and growth would be more characteristic of infill and redevelopment.

Objective 3 Design all developments to be in harmony with the environment and to protect each community's sense of place.

Policies

e. Ensure business districts are distinctive, attractive, and pedestrian-friendly destinations.

- h. Ensure better connectivity and linkages between land uses.
- j. Protect rural communities and traditional small towns by regulating the footprint, locations, site planning, and design of structures.
- k. Support small-town revitalization and preservation.

Discussion: Rezoning the Hana Store Storage Building for limited commercial uses is supportive of these policies. Reusing a historic building near the center of town is preferable to building on a new site as it supports the preservation of the building for future generations to enjoy and it is automatically compatible with the town.

K. Strive for Good Governance

Objective 2. Promote Civic Engagement

Policies:

- a. Foster consensus building through in-depth, innovative, and accessible public participatory processes.
- b. Promote and ensure public participation and equal access to government among all citizens.
- e. Support community-based decision-making.
- g. Expand opportunities for all members of the public to participate in public meetings and forums.
- h. Facilitate the community's ability to obtain relevant documentation.

Discussion: The rezoning process is a very public process, with initial public outreach, review by the Planning Department, the Hana Advisory Committee, the Maui Planning Commission, and through a series of hearings with the Maui County Council. Public input is invited and welcome along the way. Please see Appendix VII for public outreach.

Maui Island Plan

The Maui Island Plan was adopted by Maui County in 2012 with Ordinance 4004. This plan is specific to Maui Island and is *"a blueprint that provides direction for future growth, the economy, and social and environmental decisions on the island through 2030."* It touches on many aspects of island life, including but not limited to land use, growth, our economy, infrastructure, natural resources, and the preservation of a way of life.

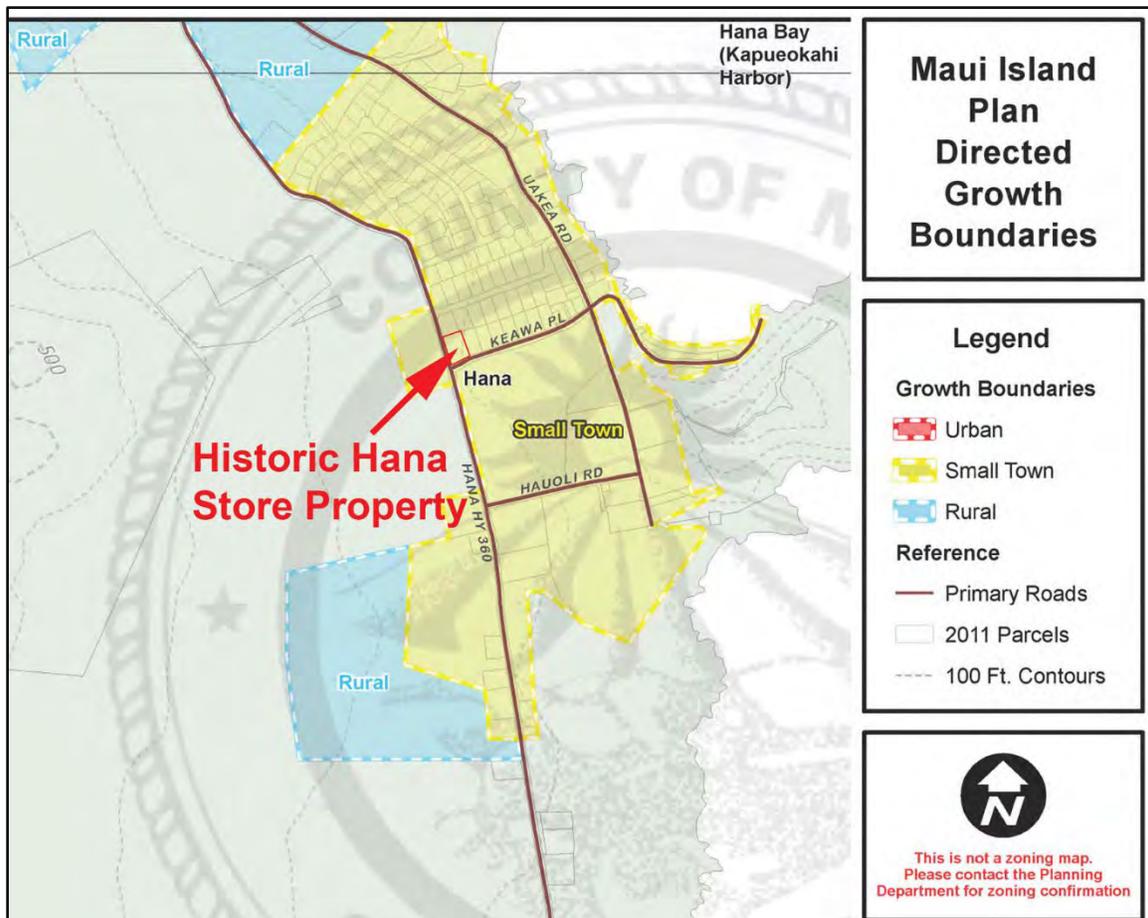


Figure 7, Maui Island Plan Growth Boundaries

The following goals objectives and policies apply to this application.

Chapter 1, Population

Goal: 1.1 Maui's people, values, and lifestyles thrive through strong, healthy, and vibrant island communities.

Objective: 1.1.1 Greater retention and return of island residents by providing viable work, education, and lifestyle options.

Discussion: Rehabilitating and reusing this historic property maintains Maui values, promotes a healthy community, and will provide sustainable economic opportunity while maintaining the existing character of Hana Town.

Chapter 2, Heritage Resources

Cultural, Historic, and Archaeological Resources.

Objective: 2.3 Enhance the island’s historic, archaeological, and cultural resources.

Policies:

2.1.3.a Identify and pursue a listing of the properties and sites on the State and National Register of Historic Places.

2.1.3.d Promote the rehabilitation and adaptive reuse of historic sites, buildings, and structures.

2.1.3.f Support opportunities for public involvement with the intent to facilitate the protection and restoration of historic and archeological sites, including consultation with stakeholders.

Discussion: This property is already on the Hawaii State register of historic places, Site 50-13-1628. Because the Urban Reserve zoning does not allow business or other economically viable use of the property, rehabilitation has been hindered, adaptive reuse is prohibited. Rezoning the property to follow the community plan will facilitate the protection and restoration and promote public involvement and adaptive reuse.

Chapter 4: Economic Development

Goal: 4.1 Maui will have a balanced economy composed of a variety of industries that offer employment opportunities and well-paying jobs and a business environment that is sensitive to resident needs and the island’s unique natural and cultural resources.

Policies:

4.1.1.b Support the creation of new jobs and industries that provide a living wage.

Objective: 4.1.2 Increase activities that support principles of sustainability.

Policies:

4.1.2.a Support industries that are sustainable, and culturally and environmentally sensitive.

4.1.2.b Encourage and support local businesses.

4.1.2.c Substitute imports with locally produced services and products where practicable.

Discussion: This historic building is currently an unused resource within the Hana community. Principles of sustainability emphasize both utilizing existing structures or assets rather than building new ones, and long-term business activity. Using the property again for commercial purposes will expand economic opportunity but without building anything new or changing the character of Hana town. The proposed list of permitted uses has been evaluated to make sure that any businesses in the future will fit within the Hana community.

SMALL BUSINESS DEVELOPMENT

Goal: 4.5 Small businesses will play a key role in Maui's economy.

Objective: 4.5.1 Increase the number of and revenue generated by small businesses and decrease the percentage of small business failures.

Policies:

4.5.1.a Provide incentives and support for small businesses and entrepreneurs that incorporate sustainable technologies and practices into their operations, utilize local materials or produce and sell locally-made goods or services.

4.5.1.b Assist traditional "mom and pop" business establishments.

4.5.1.c Reduce barriers to small business development.

4.5.1.e Support community markets and venues that sell locally made produce, goods, and services.

Discussion: Rezoning the property will provide an opportunity and incentive for small businesses as it will reduce barriers by providing space for them. The proposed conditions of zoning will ensure that the building is used for small businesses and not a corporate chain.

Chapter 7: Land Use

Rural Areas

Policies:

7.2.1.a Focus development to areas inside the urban, small town, and rural growth boundaries to preserve natural, cultural, and agricultural resources.

7.2.1.d Encourage basic goods/services in business country towns.

Discussion: The Hana Store Storage Building is inside the Rural Growth boundary for Hana. These policies direct the requested type of commercial zoning to be inside this boundary.

Urban Areas

Objective: 7.3.3 Strengthen the island's sense of place.

Policies:

7.3.3.a Protect and enhance the unique architectural and landscape characteristics of each community.

7.3.3.c Support the continued revitalization of historic country towns, Wailuku Town, and Kahului's commercial core and harbor-front without displacing traditional, cultural, recreational, and customary uses.

7.3.3.d Strongly encourage the preservation of buildings, structures, and sites of historic significance.

Discussion: Though Hana is designated as a Small Town in the Maui Island Plan, this section is applicable because the subject property is in the State Urban District, and because of the historic nature of the site. It is a significant piece of Hana's history and is an integral element in providing a sense of place.

Chapter 8: Directed Growth Plan

Goal: 8.1 Maui will have well-serviced, complete, and vibrant urban communities and traditional small towns through sound planning and clearly defined development expectations.

Policies

8.1.d The unique character and function of existing small towns shall be protected to retain and preserve their sense of place.

8.1.e New development shall be consistent with the UGBs, STBs, and all other applicable policies of the MIP. New urban-density development shall not be allowed outside of a UGB or STB.

Discussion: The proposed rezoning is entirely consistent with this goal and the related policies. Restoring and using this building will contribute to a complete, well-serviced small town, all while sustainably preserving the unique character and function of Hana's small town.

Within the Directed Growth Plan, Small Town Growth Boundary.

The property is located in the Small-Town Growth Boundary. The rezoning is consistent with the purpose of the boundary because it promotes the integrity of the unique sense of place for Hana, and the economic viability of this traditional town.

The plan conveys the importance of preserving historic sites, this being one of them.

Finally, it states that Hana lacks a defined town core. Being next to hotel and near the Hana Town Center, returning this property to commercial use will strengthen the identity of the immediate area as the town's commercial center.

Hana Community Plan

The Hana Community Plan is one of nine community plans for Maui County, each reflecting the current and anticipated conditions in the respective region. The Hana plan was to advance planning goals, objectives, policies, and implementation considerations in the region through the year 2010. This plan was adopted in 1994, and though dated, it is still applicable to this community and portrays the goals, objectives, and policies reflective of the community. A primary theme throughout the plan is to maintain the area's rural, small-town character and culture. As stated in the plan, the role of the plan is to guide decision-making.

Implementing the community plans is always an important aspect of planning for Maui County, including for the Hana Community Plan area. In summary, the proposed rezoning implements the community plan by applying the appropriate zoning to a property designated as "Business/Commercial" and it does so in recognition of the objectives and policies of the plan.

It is notable that the plan's Problems and Opportunities section specifically identifies historic sites and resources as an opportunity by saying:

CULTURAL RESOURCES. *The sensitivities of the region's residents for the cultural resources which are located within the Hana district are recognized. The district's historic sites and cultural resources provide evidence of Hana's history and serve as tools for conveying the heritage of the region to its youth as a legacy for the future.*

Goals Objectives and Policies

LAND USE

Goal An efficient distribution of urban, rural, and agricultural land uses to provide for the social and economic well-being of residents in the Hana Community Plan region. Preservation and enhancement of the current land-use patterns which establish and enrich the Hana Community Plan region's unique and diverse qualities.

Discussion: Instead of expanding and building in a new untouched location, the proposed change of zoning preserves and enhances the historical and current land-use patterns by creatively reusing an existing facility in recognition of Hana's history.

Objectives and Policies

3. Explore alternative land use and overlay zoning designations that recognize and preserve the unique natural and cultural characteristics of each community within the Hana region.

Discussion: While the applicant is not proposing an overlay designation, they are proposing a significantly conditioned Business Country Town zoning that will "preserve the unique natural and cultural characteristics" of the community.

13. Encourage community-based dialogue regarding proposed land-use changes in order to avoid unwarranted conflict.

Discussion: The change of zoning process is a public process, and the applicant has involved the community in the decision-making.

CULTURAL RESOURCES

Goal - Identification, preservation, protection, and where appropriate, restoration of significant cultural resources and practices, that provide a sense of history and identity for the Hana region.

Objectives and Policies

1. Identify, preserve and protect historically, archaeologically, and culturally significant areas, sites, and features within the Hana District.

Discussion: This goal, objective and policy identify the importance of historic resources in the Hana area. This building, being one of the oldest in Hana, will be preserved for future generations by allowing economically beneficial and sustainable use.

2. Require development projects to identify all cultural resources within or adjacent to the project area as part of the County development review process. Further require that all proposed development include appropriate mitigation measures including site avoidance, adequate buffer areas, and interpretation.

Discussion: The property itself is a significant historic asset to the community. While not "development" in the traditional sense of building in a new untouched area, the process to rezone and reuse the building undergoes the same review process. This is a public process that is reviewed by the public through outreach, through the Cultural Resources Commission, the Hana Advisory Committee, Maui Planning Commission, and the County Council. The applicant has already proposed mitigating measures for the change in zoning.

ECONOMIC ACTIVITY

Goal

A balanced local economy which provides long-term viability and sustainability while meeting residents' needs and respecting the cultural and natural resources of Hana.

Objectives and Policies

2. Utilize existing components of the local economy to establish a framework for balanced regional economic development.

3. Encourage economic activities which are: of substantive economic benefit to the residents of the area; environmentally benign; and compatible with the cultural sensitivities of the residents of the Hana region.

Discussion: A mixture of land uses is an essential component to creating a local economy and opportunity for its residents. The proposed rezoning utilizes an existing component in the Hana community and incrementally adds to that mixture of uses. It encourages economic activities that are compatible with the cultural sensitivities of the Hana region.

URBAN DESIGN

Goal: Harmony between the natural and man-made environments through building, infrastructure, and landscaping design which ensures that the natural beauty and character of the Hana region is preserved.

Objectives and Policies

1. Support design controls for Hana Town and the Hana region based on maintaining the existing low-rise character and rural scale of the area.

Discussion: The Hana Store Storage Building is proposed to be reused for commercial uses but with no alteration to the existing façade or floor plan. The single-story, low-rise character specified by these policies, maintains harmony with the existing character of Hana town. There are no plans to include “urban” roadway improvements but keep the rural feel of the town.

PART V - LAND USE MAP

The property is designated Business/Commercial on the land use map in the Hana Community Plan. The text of the plan defines the designation as:

Business/Commercial (B) This includes retail stores, offices, entertainment enterprises, and related accessory uses.

Discussion: The proposed zoning for the property is conditional Business Country Town, under MCC 19.15. This is the only suitable zoning district that could be applied to the property, any other zoning (including Urban Reserve) would be inconsistent with the plan.

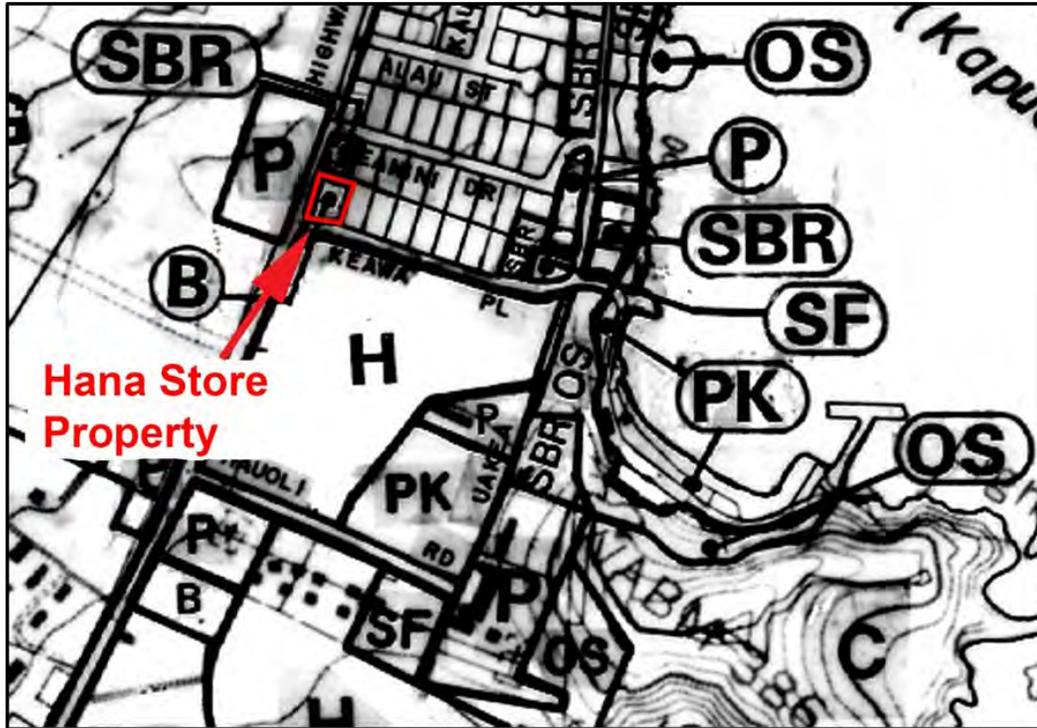


Figure 8, Hana Community Plan Land Use Map

Business Country Town District, compliance with the proposed district

The Business Country Town District (BCT) falls under Chapter 19.15 of the Maui County Code. In MCC 19.15.010, Hana is specifically identified as a country town:

“Examples of the country town concept are commercial areas of such communities as Makawao-Pukalani-Kula, Paia-Haiku, Hana, Lanai City, and Molokai. (Emphasis added)

To implement the community plan, BCT is the only appropriate district for the property. However, in a review of the permitted uses in MCC 19.15.020, it does not appear that all of them would be appropriate for this specific site. The applicant is therefore proposing to limit the permitted uses on the property through conditional zoning.

Each of the permitted uses of MCC 19.15.020 were evaluated in consideration the historic property. Some uses, (a) appear to be very compatible with the reuse of this historic structure, others (b) might be acceptable if there was additional community review, and others (c) are not deemed appropriate for the site and should be eliminated from the list of uses.

The following list is from the zoning code for BCT but organized into the above categories. Any *italics* indicate a proposed modification to the code. A full list of the permitted uses as shown in MCC 19.15.020, with edits, is in Appendix II.

Permitted and compatible with this historic property:

- Art and music studios
- General merchandising (retail)
- General office
- Hardware, feed, and garden stores
- Libraries
- Museums
- Parking lots *if associated with another permitted use on the property or as allowed by off-site parking permit*
- Personal and business service
- Warehouse facilities associated with a permitted use within the district *or with the primary hotel within the Urban District in Hana.*

Permitted, but with additional community review, *italics indicate proposed additions* to the permitted use:

- Amusement and recreational activities *if compatible with the historic character of the site subject to review and approval by the applicable planning commission.*
- Eating and drinking establishments *that are locally owned and operated. Any corporate chains or franchises are allowed subject to review and approval by the applicable planning commission.*
- Other similar businesses or commercial enterprises or activities that are not detrimental to the welfare of the surrounding area *or to the historic character of the site.* (Note: this provision already requires review and approval by the appropriate planning commission)

Any use that requires planning commission approval will automatically be sent to the Hana Advisory Committee (HAC) for their review. If the HAC becomes a commission by change of county law, they would then be the appropriate planning commission.

Prohibited or deleted because they would not be compatible with this historic property:

- Animal hospitals, including boarding
- Auditoriums, theaters, gymnasiums including fitness centers, private clubs, and dance halls

- Automobile services (gas stations)
- Bed and breakfast homes, in lawfully existing single-family dwellings
- Buildings and premises used, owned, or operated by government agencies, including community centers
- Combinations of dwelling units with other permitted uses in the same building
- Communication equipment and antennae
- Daycare facilities
- Educational institutions
- Education, specialized
- Farmer's markets
- Home occupations
- Multifamily dwellings, duplexes, and bungalow courts
- Pet shops
- Recycling collection center
- Redemption center
- Religious, benevolent, or philanthropic societies, civic organizations, and quasi-public uses
- Short-term rental homes, in lawfully existing single-family dwellings
- Swap meet or open-air market
- Taxicab, car rental, and U-drive stations and offices

D8 Detailed Land Use History.

The Hana Store Storage Building was thought to be the store itself, constructed in about 1876. More accurate information from the Planning Department places construction a bit later, between 1882 and 1890, but still before Maui County was established in 1905. It was used as a fireproof and secure storage building, and not the store itself.

Though no precise date can be found, at some point the property ceased to be used as a store. Old photographs obtained from the Hana Cultural Center show the wooden store with vehicles likely dating from the 1940s. Sugar faded in the Hana region and entrepreneur Paul Fagan purchased the plantation, turning it into a cattle ranch. In 1946, Mr. Fagan started the Ka`uiki Inn, eventually renamed the Hotel Hana-Maui. During this approximate time frame, the subject property ceased use as a general store and the wooden structure was demolished, leaving only the stone storage building. The hotel began using it for their commercial laundry.

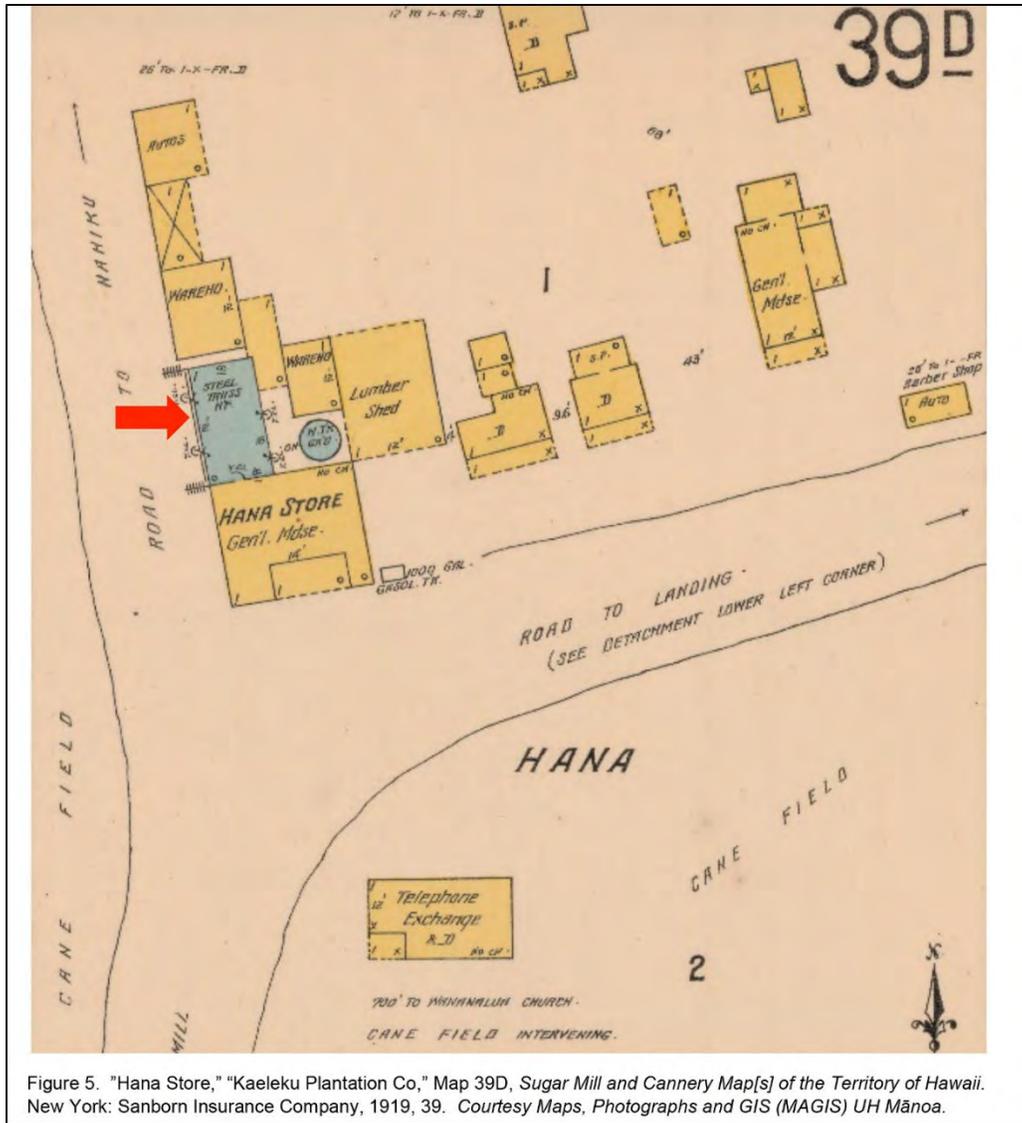


Figure 5. "Hana Store," "Kaeleku Plantation Co," Map 39D, Sugar Mill and Cannery Map[s] of the Territory of Hawaii. New York: Sanborn Insurance Company, 1919, 39. Courtesy Maps, Photographs and GIS (MAGIS) UH Mānoa.

Figure 9, Sanborn map courtesy of Maui Planning Long Range Division, showing the building was a fireproof structure (blue), and the other structures that comprised the store.

The Board of Supervisors first adopted interim zoning in 1958 with the passage of Ordinance 267. This was a zoning district intended as a temporary measure until the board (now being the County Council) would adopt comprehensive zoning maps for the entire county. Interim zoning was placed over the whole of the "Hana District." The board of supervisors did not adopt a comprehensive zoning code until 1960 with Ordinance 286. This new code was not applied to many places, including Hana.

In the mid-1990s, approximately 35 years later, Maui County undertook a comprehensive zoning program for the State Urban District to replace Interim with an

appropriate zoning district that followed the community plans. Most of the Interim properties were already developed and were therefore zoned according to the land use maps in each community plan. In some instances, however, the Planning Department and County Council believed it was premature to rezone some properties according to the community plan, either because entitling them may result in environmental impacts, or there should be more community review before granting zoning. Accordingly, these few properties were proposed to be zoned to the Urban Reserve district. In 1997 by Ordinance 2597, the County Council adopted zoning for the State Urban area of Hana. The subject property was among those zoned as Urban Reserve.

The purpose of the Urban Reserve district, §19.69 MCC, has the express intent of preventing the premature development of properties. It is one of the most restrictive districts in Title 19 with a very short list of permitted uses, mostly allowing a single-family dwelling, ohanas, agricultural, government buildings, and utility uses. When rezoning, it requires compliance with the community plan.

In approximately 2010, Travaasa stopped using the structure for the hotel laundry because the cesspool could not meet EPA requirements. Adaptive reuse of the historic building was not possible because the zoning did not allow a change of uses, leaving the subject property without an economically viable use.

As a result, to use the property for commercial uses as it was for 100 years, the zoning must be changed.

The owners of the property, Mani Hana Resort (DE) LLC, are in the process of restoring the building to use it for commercial uses. They are seeking zoning that implements the community plan but is modified through conditions to preserve the historic structure and assure the use will always fit in the character of the community.

As noted, proposed improvements have been reviewed by the CRC. Some aspects of improvements have been granted an exemption through SM5 2022-00001 and EAE 2022-00002; others received a SMA minor permit, SM2 2022-00007.

D9. Preliminary Archaeological and Historical Data from DLNR

The property is listed on the State Register of Historic Places, site 50-13-1628. According to the nomination form it was built in approximately 1876; the date is more accurately between 1882 and 1890 per research by the Maui Planning Department. This whitewashed stone building was a fireproof and secure storage building for one of

the two original general stores built during the beginning of the sugar plantation days. The applicant is in the process of rehabilitating the structure and plans to preserve its original form and character.

The project was presented to the Maui Cultural Resources Commission (CRC) on February 3, 2022. The CRC reviewed the plans for rehabilitation, including a site plan, and the materials to be used. They discussed the matter and their approval followed the Planning Department staff recommendations. The applicants are in the process of following their recommendations. Please see Appendix IV for the staff report and approval.

At the time of this submittal, the Department of Land and Natural Resources, State Historic Preservation Division (SHPD), is reviewing the CRC's approvals and project plans.

D10. Analysis of Secondary Impacts on Surrounding Uses

- Increases in property value. Property values are normally enhanced by gaining entitlements such as zoning, or when similar, comparable properties are revalued through sales of nearby properties at market rates ("comps").

The subject property is surrounded by several different land uses.

- To the south is the Hana Maui Resort hotel. Rezoning the subject property is not expected to affect the value of the hotel because it is already fully entitled for hotel use.
- Single-family residences are located to the north and east on properties a little smaller than the subject property. The community plan designates these as Single Family and the zoning is either R-3 Residential under MCC 19.04 or Urban Reserve under MCC 19.69 (a single property). Those zonings are intended for or allow single-family residences and are fundamentally different than the proposed rezoning. These properties will not gain any new entitlements because of this rezoning application, nor will it promote any of them to convert to other uses. As a result, the nearby single-family properties are not expected to either increase or decrease in value.

- The property to the west is within the State Agricultural District, is designated “Public” on the community plan land use map, and is county zoned Interim. The value of this property is not enhanced by rezoning the subject property because of the great assortment of designations and the processes required to use it for anything but agriculture.
- Populations. The effect of rezoning the subject property on Hana’s population will be negligible. The size of the parcel is small, and the overall square footage of the structures is also limited. There will be some additional employment opportunities, but that would be expected to be supportive of the local population and not cause anyone to relocate to the Hana area.
- Housing. Rezoning this property is not expected to either increase or decrease the demand for housing within Hana. There will be some additional jobs that may allow people to pay rent or mortgages, but the overall housing stock will not be changed.
- Community services. Community services are characterized as social services for the young or elderly, those needing help with paying rent, vocational training, schools, shelter needs, healthcare, etc. Changing the zoning on this property is not anticipated to either increase or decrease the demand for community services.
- Employment and secondary jobs. The historic building is currently a vacant, unused resource; and the storage building is used only for storage, therefore no employment is generated from the site.

Rehabilitating the property will generate limited-term construction jobs in repairing the walls and floors, installing plumbing and electrical, replacing windows, renewing the parking area, installing landscaping, etc.

In the long term, rezoning the property and allowing the use of the historic structure will generate employment opportunities within Hana. The number of jobs will partially depend upon the type of business that occupies the building. A retail use would be expected to generate possibly five or six jobs, general office may be less, depending upon the type of business. Indirect employment would also be expected in terms of building and landscape maintenance.

- Compatibility with surrounding uses. The property has more than 100 years of previous commercial use, established at a time before any zoning regulation. Many of the surrounding land uses were developed around the property while it was used for commercial purposes.

Directly across the street to the south is the hotel. The proposed uses at the subject property would be expected to be compatible and complementary to the hotel as it already has several similar business uses within it, including retail, office, and restaurant.

An adjacent residential subdivision to the east and north was developed in the early 1960s, while the subject property was still in commercial use. There are no known reports of disturbances when the laundry was in operation, or when the wooden storage building was used for office space by the hotel. Public outreach has not brought out any history of impact on the area residents.

New uses are likewise not expected to have an impact on the residential area. The most significant mitigation measure to reduce any potential impacts will be the proposed limitations on uses as many of the potentially impactful activities will be eliminated. The historic building is also small at 1,464 total square feet and set relatively far away from homes. Lastly, the wooden storage structure would act as a buffer between activities in the historic stone building and adjacent residences. As a result, it is not expected that commercial uses on the subject property will be incompatible with surrounding uses.

To the west, separated by Hana Highway, is agricultural land that is either fallow or used for cattle ranching. It would be anticipated that considering the size and intensity of the proposed commercial uses, there would be no impact on any agricultural pursuits. Hana Highway, with the volume of traffic it carries, would have more of an impact on agricultural pursuits than would the proposed commercial use.

D11. Traffic Impact Analysis

Many visitors want to experience the natural beauty of East Maui and traveling the Hana Highway is considered one of the most beautiful journeys in the United States. The

roadway and Hana Town itself are considered destinations because of their beauty, history, culture, environment, and lifestyle.

Most visitors are "day-visitors" who drive on their own or in tour busses. They arrive in town, explore, purchase goods and food, then return to their hotels on the more western side of the island.

Other visitors are there for overnight experiences and Hana Town. Accommodations are sought where people can relax and more thoroughly involve themselves in the town, its people, and beauty. There are several accommodations in the urban area of town, most notably the Hana Maui Resort. This resort is situated on the primary, 14.65-acre hotel site and another 12.75 acres for the cottages.

Due to its size and configuration in comparison to the overall journey and experience, the Hana Store Storage Building is unlikely to ever be considered a destination unto itself. Visits to this building would only be an incidental part of anyone's trip to Hana.

As a result, rezoning this property will not generate new traffic. There are no anticipated impacts concerning traffic.

D12. Assessment of Proposed Use on Agricultural Use of Property

There are no proposed agricultural uses for the property.

D13. Water Source, Supply, and Distribution Analysis

The property is currently serviced by the private system that serves much of Hana and is owned by Hana Ranch. Usage will be minimal, less than a single-family residence, as there is only a single restroom with a sink and toilet. The landscaping will have some irrigation as required by county code, but use is expected to be nominal as it frequently rains in Hana. No impacts are anticipated for water use with the property.

D14. Sewage Disposal Analysis

During the hotel laundry days, the site utilized what is referred to by the EPA as a "large-capacity cesspool" to dispose of wastewater. The EPA has required that all such cesspools be closed and either replaced with a modern system or discontinue the land use generating the wastewater. The cesspool ceased operation with the closure of the laundry building in approximately 2010 and was filled with concrete slurry in 2017.

The new use requires a new, Department of Health approved septic system since the building will have a single bathroom with a toilet and sink. The system was designed and approved by the State Department of Health, IWS file 67718.

D15. Solid Waste Disposal Analysis

Solid waste will be generated by commercial activities on the property, the amount will be dependent on the actual business occupying the structure. Because of the small size of the buildings and the proposed uses within them, it is estimated that a typical retail store may generate approximately 10 to 40 pounds of solid waste per day. It would vary from week to week according to the actual, variable use in the building and when deliveries take place. Due to the limited size of the property as well as the small buildings, the amount of solid waste is expected to be insignificant.

D16. Identification of Environmentally Sensitive Areas

There are no known environmentally sensitive areas on the site. The historic building would be considered a sensitive resource, but not in the same terms as environmental conditions normally falling into this category such as native species habitat, wetlands, watersheds, or unstable soils.

D17. Identification of Drainage Patterns and Proposed Alterations

The site is a rectangular, 0.50-acre property, bordered on one side by Hana Highway and Keawe Place on another. It is currently developed with a historic stone building and a wooden storage structure. The site slopes gently at approximately 1.5-2 percent grade toward Keawa Place. Current drainage patterns consist of sheet flow from the mauka parts of the property near Hana Highway to makai at Keawe Place. There are no known reports of drainage being an issue.

The proposed improvements to the site will include removing the old asphalt pavement which covers about 50 percent of the property and is to be replaced mostly with gravel. Only a small amount of pavement will be necessary to accommodate ADA parking and a loading zone stall (Site plan, Appendix III). There will be no grading or topographic alterations with this action.

Because the gravel will be porous, it will allow for the percolation of rain on site. As a result, the overall amount of drainage from the site is expected to decrease over what currently exists.

D18. Identification and Summary of meetings between Applicant and Community Groups

The applicant has done substantial public outreach in two ways. First, a total of 40 letters were mailed on July 22, 2021, to all the property owners within the 500-foot notification area. The letter introduced the concept of changing the zoning and how the uses would be limited so the property would always fit in the character of Hana town. A summary list of proposed uses were included.

The letter invited members of the public to ask questions or provide input on the project. Contact information, including telephone number, email address, and mailing address, was provided. As of this filing, one response was received from an adjoining neighbor who had no objections to the change in zoning. A copy of the letter to the neighbors is included in Appendix VII.

The second effort for public engagement was through Council Member Shane Sincenci's virtual town hall meeting via Bluejeans on October 6, 2021. Several items were discussed at that meeting, the rezoning project was the last item. A PowerPoint was presented to both inform the public of the owners' intentions for the property, as well as to solicit public input. The need to rehabilitate the building was explained, as well as the timing for improvements. The upcoming request to change the zoning from Urban Reserve to conditional Business Country Town was also discussed. The applicant's consultant shared the reason for requesting conditional zoning so that any business that occupies the site will be compatible with the historic building and the character of Hana town.

The meeting was cordial and prompted two comments from attendees. First was a concern about the property being built out with overly large multi-story structures. It was clarified that the property would remain the same with the historic building and storage remaining and as only single-story structures. The second was a request to do an Environmental Assessment (EA). It was explained that the community plan was not being changed, so that is not a trigger for an EA.

The meeting prompted several responses via email in support of the change and with suggestions of what the building could be used for. Suggestions included an art center, a microbrewery, and a farmer's market.

Copies of the letter sent to neighbors, the PowerPoint, and response emails are in Appendix VII.

D19. Photographs of Project Site

Photographs of the site are in Appendix VIII and include the current site and historic photographs, probably from the 1940s.

D20. Development Schedule

The goal of the applicant is to have the building ready for occupancy as soon as the zoning is changed.

Work that requires no permits, mostly cleaning up the site and securing the building, has mostly been completed. Applications to rehabilitate the building and property were filed in June and July of 2021. The first, assessment SMX 20210253 was filed to renovate the existing wooden storage building and renovate the parking area. This was approved under SMA minor permit SM2 202200007.

Another application, SMX 20210213 was filed to rehabilitate the historic stone building. The project plans were reviewed and approved by the Cultural Resources Commission (CRC) on February 3, 2022. The approval included small plan modifications and requirements recommended by the Planning Department staff. Both SMA and EA exemptions were approved on May 16, 2022, with SM5 202200001 and EAE 202200002.

While the building may be made ready for a tenant in advance of the change of zoning, it cannot be occupied until the business zoning is established and a certificate of occupancy for a specific use has been obtained. The applicant will start discussions with potential lessees in advance of the council's action on the change of zoning.

D21. Schematic Site Development Plans

Site development plans are in Appendix III.

D22. Operations and Management of Proposed Use

Operations and management of the property will fall under Mani Hana Resort (DE) LLC., with a property manager who will manage this building as well as the different spaces at Hana Town Center. Management duties will include maintaining the physical property, collecting rents, handling tenant relations, and communicating with the owners.

D23. Identification of Traditional Beach and Mountain Access

There are no known traditional beach or mountain accesses through the property.

D24. Identification and Assessment of Chemicals and Fertilizers Used

Chemicals used on the property would mostly fall into the household variety to control insects or vegetation. Because there has not been any agriculture on the property for well more than 100 years and a significant portion of the property is covered with impervious surfaces, their use has been minor and incidental. The only chemicals used in any quantity would be attributed to the commercial laundry that ceased operations more than 10 years ago. There are no records of what was used, but it is expected they would include detergents and bleaches, mostly for bedding and towels.

Appendices

Appendix I – Draft Bill for an Ordinance,
Proposed Conditions and Zoning Map

Appendix II – Edited list of Permitted Uses from
Title 19.15

Appendix III - Site Plan and Improvements

Appendix IV – Cultural Resources Commission
Review and Approval, State Historic Nomination
Form

Appendix V – Historic Building and SMA Permits

Appendix VI – SMA Review and Approval

Appendix VII – Public Outreach

Appendix VIII – Photographs

Appendices

Appendix I – Draft Bill for an Ordinance with Map, Description, and Proposed Conditions

ORDINANCE NO. _____

BILL NO. _____ (2022)

A BILL FOR AN ORDINANCE TO CHANGE ZONING
FROM URBAN RESERVE TO B-CT COUNTRY TOWN BUSINESS DISTRICT
(CONDITIONAL ZONING) FOR PROPERTY SITUATED AT HANA, MAUI,
HAWAII, TAX MAP KEY (2) 1-4-013:001

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. In accordance with Chapters 19.15 and 19.510, Maui County Code, a change in zoning from Interim District to B-CT Country Town Business District (conditional zoning) is granted for the certain real property situated at Hana, Maui, Hawaii, and identified for real property tax purposes as tax map key (2) 1-4-013:0001, containing an area of 21,711 square feet, more or less, and more particularly described in Exhibit "1," which is attached and incorporated into this ordinance, and on Land Zoning Map _____ in Exhibit "2", which is on file in the Office of the County Clerk of the County of Maui and incorporated into this ordinance, and subject to the conditions established in Exhibit "3."

SECTION 2. In accordance with Section 19.510.050, Maui County Code, the zoning granted by this ordinance is subject to the conditions established in Exhibit "3," which is incorporated into this ordinance, and the Unilateral Agreement and Declaration of Conditional Zoning, which is attached and incorporated into this ordinance as Exhibit "4."

SECTION 4. This ordinance takes effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:

Department of the Corporation
Counsel County of Maui

EXHIBIT "1"

LAND DESCRIPTION

Lot 1
Of

HANA RANCH HOUSELOTS SUBDIVISION (FILE PLAN 866)

All of that certain parcel of land, being Lot 1 of HANA RANCH HOUSELOTS SUBDIVISION (FILE PLAN 866) being portions of Grant 883 to G.P. Judd and Royal Patent 3108, Land Commission award 419:1 to Kawainui, situated on easterly side of Hana Highway, Wananalua, Hana, Island and county of Maui, State of Hawaii and being more particularly described as follows:

Beginning at the northwesterly corner of this parcel of land on the easterly boundary of Hana Highway, said corner also being the southwest corner of Lot 9 of "HANA RANCH HOUSELOTS SUBDIVISION" (FILE PLAN 866), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAUIKI", being:

382.20 feet North
2122.77 feet West

and running by azimuths measured clockwise from true South:

- | | | | |
|----|---|-------------|--|
| 1. | 250°30' | 107.91 feet | along the southerly line of Lot 9 of "HANA RANCH HOUSELOTS SUBDIVISION to the Southeasterly corner of lot 10; thence, |
| 2. | 256°00' | 16.77 feet | along Lot 10 to the northwest corner of Lot 2 of "HANA RANCH HOUSELOTS SUBDIVISION; thence, |
| 3. | 340°30' | 162.34 feet | along the westerly line of Lot 2 of "HANA RANCH HOUSELOTS SUBDIVISION" to a point on the northerly boundary line of Keawa Place; thence, |
| 4. | 64°30' | 107.94 feet | along the northerly boundary line of Keawa place; thence, |
| 5. | along same, along a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being: | | |
| | 113°04'30" | 29.99 feet | To a point on the easterly boundary right-of-way of Hana Highway; thence, |
| 6. | 161°39' | 122.86 feet | along the easterly boundary of Hana Highway; thence, |

7. 164°44' 32.19 feet

along same to the point of beginning and containing 21,711 square feet of land more or less.

Prepared by: Maui Land Surveyors LLC
Date: September 1, 2021

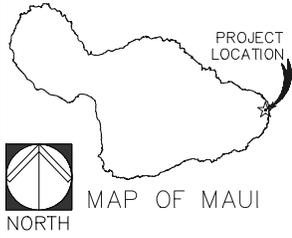
This work was prepared by me or under my direct supervision

Allen Hale
Licensed Professional Land Surveyor
State of Hawai'i Certification Number LS18574
License Expiration Date: April 30, 2022



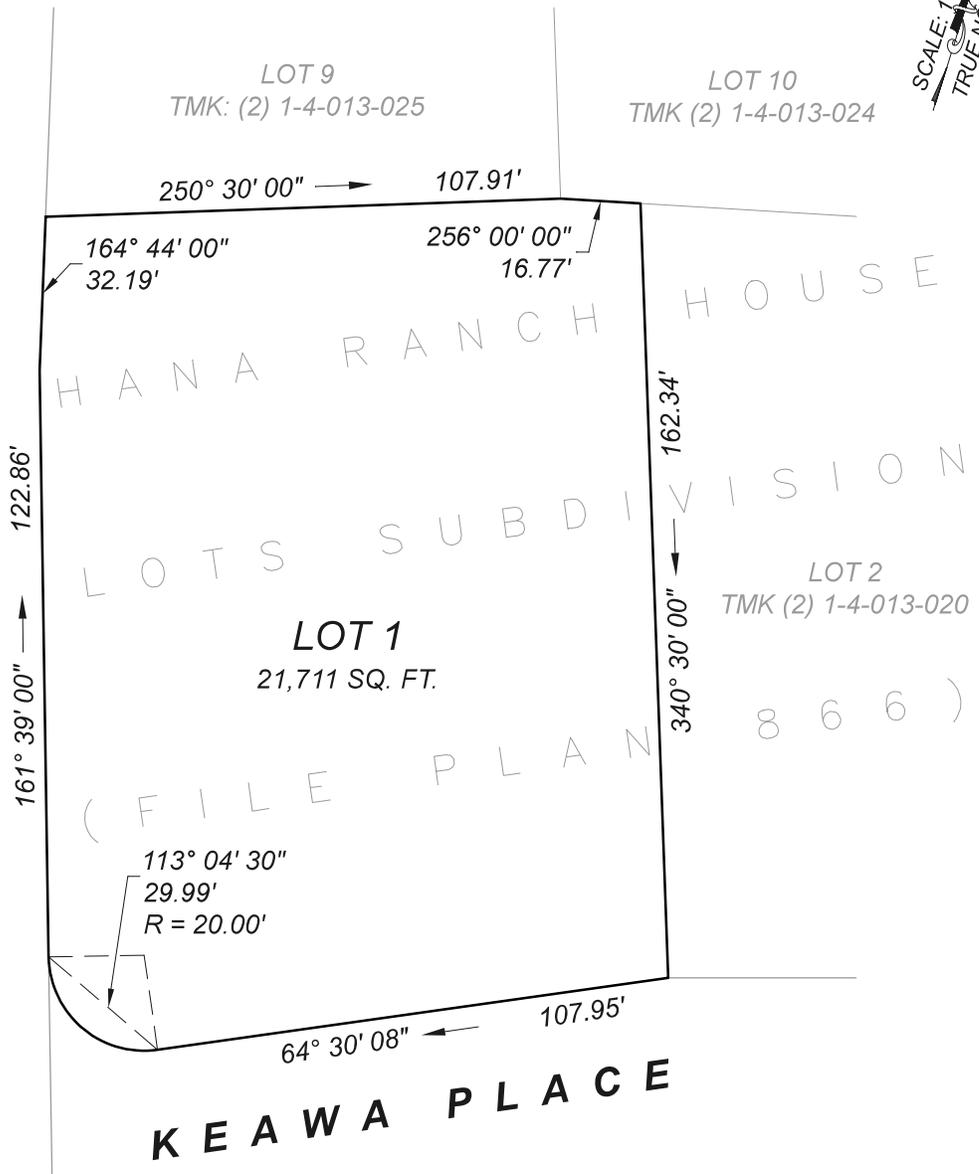
EXHIBIT "2"

DATE: 1/28/2022



VACINITY MAP

HANA HIGHWAY



TMK (2) 1-4-013:001

AREA=21,711 SQ. FT.

LAND ZONING MAP NO.

CHANGE IN ZONING - WANANALUA, HANA, MAUI, HAWAII
FROM URBAN RESERVE TO CONDITIONAL BUSINESS COUNTRY TOWN

APPROVED: _____
COUNTY CLERK DATE

PUBLIC HEARING:
ADOPTED - COUNCIL:
ADOPTED - MAYOR:
ORDINANCE:

APPROVED: _____
COUNTY CLERK DATE

DATE: _____ SCALE: 1" = 30'

OFFICE OF THE COUNTY CLERK
200 HIGH STREET, WAILUKU, MAUI, HAWAII 96793

EXHIBIT “3”

CONDITIONS OF ZONING

1. The permitted uses of this property are limited to:
 - a) Amusement and recreational activities if compatible with the historic character of the site subject to review and approval by the appropriate planning commission.
 - b) Art and music studios
 - c) Eating and drinking establishments that are locally owned and operated. Any corporate chains or franchises are allowed subject to review and approval by the appropriate planning commission
 - d) General merchandising
 - e) General office
 - f) Hardware, feed, and garden stores
 - g) Libraries
 - h) Museums
 - i) Parking lots if associated with another permitted use on the property or as allowed by off-site parking permit
 - j) Personal and business service
 - k) Warehouse facilities associated with a permitted use within the district or with the primary hotel within the Urban District in Hana.
 - l) Other similar businesses or commercial enterprises or activities that are not detrimental to the welfare of the surrounding area or to the historic character of the site

Appendix II – Permitted Uses from Maui County
Code, Title 19.15.020, edited as applicable to
subject property

The list below is all of the normally permitted uses from Maui County Code 19.15.050, but edited to illustrate the proposed conditions of zoning. Normal text illustrates permitted uses, use of *italics* shows a modification of a use, and ~~strikeout~~ means that a use would not be permitted on this property.

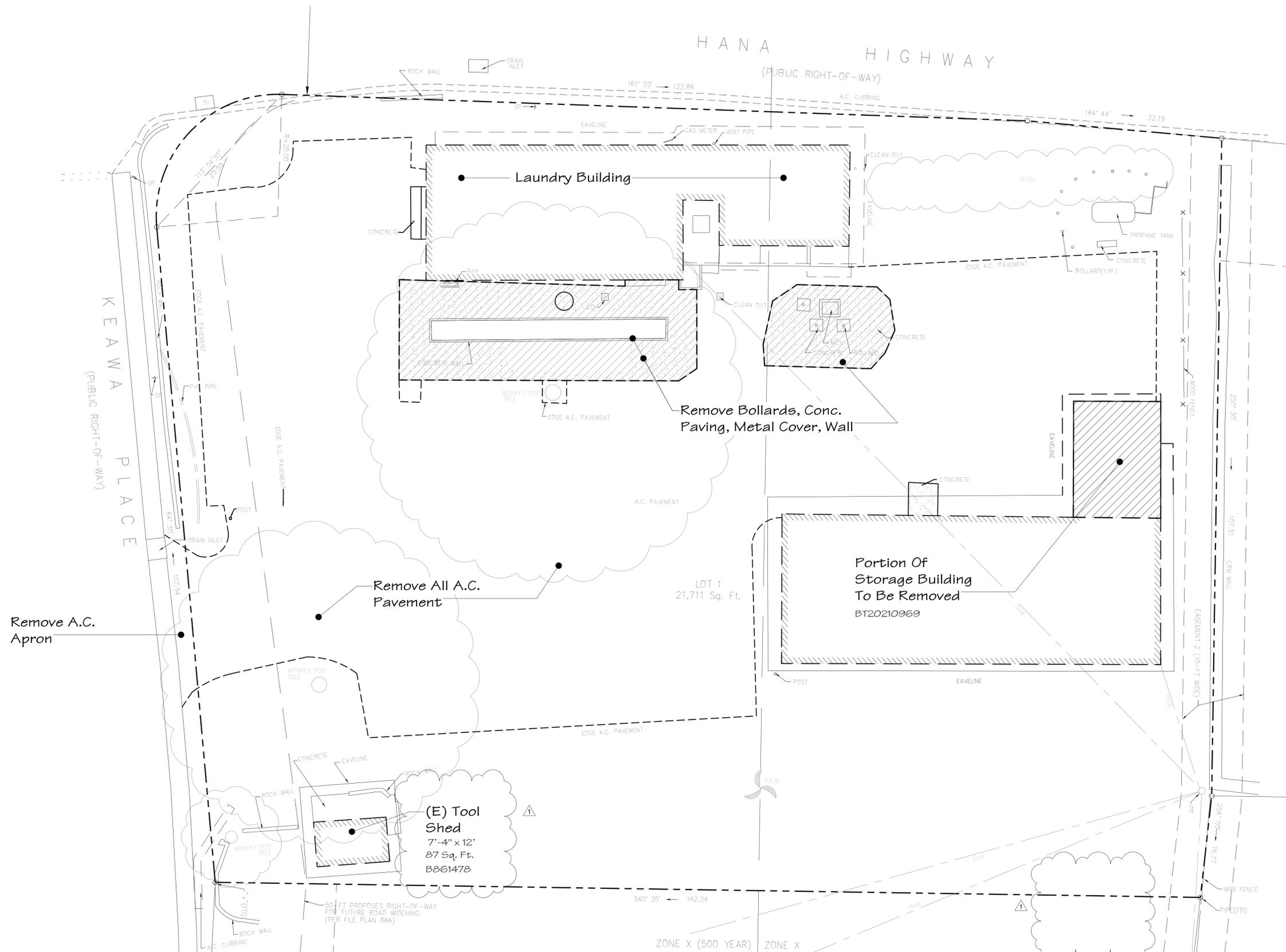
19.15.020 Permitted uses.

Within the B-CT country town business district, the following uses shall be permitted:

Permitted uses	Criteria or limitations
Amusement and recreational activities <i>if compatible with the historic character of the site subject to review and approval by the appropriate planning commission.</i>	Conducted wholly within a completely enclosed building
Animal hospitals, including boarding	
Art and music studios	
Auditoriums, theaters, gymnasiums including fitness centers, private clubs and dance halls	
Automobile services	
Bed and breakfast homes, in lawfully existing single-family dwellings	Subject to the restrictions and standards of section 19.64.030 of this code
Buildings and premises used, owned, or operated by government agencies, including community centers	
Combinations of dwelling units with other permitted uses in the same building	Except on Molokai
Communication equipment and antennae	Provided that it is part of or supported by a building
Day care facilities	Except on Molokai
Eating and drinking establishments <i>that are locally owned and operated. Any corporate chains or franchises are allowed subject to review and approval by the appropriate planning commission</i>	
Educational institutions	
Education, specialized	
Farmer's markets	
General merchandising	
General office	
Hardware, feed, and garden stores	Provided, that feed and fertilizer are kept within an enclosed building
Home occupations	Within lawfully existing single family dwellings
Libraries	
Multifamily dwellings, duplexes, and bungalow courts	Except on Lanai and Molokai
Museums	
Parking lots <i>if associated with another permitted use on the property or as allowed by off-site parking permit</i>	
Personal and business service	Except for dry cleaning on Lanai. Printing establishments shall be conducted within an enclosed building

Pet shops	
Recycling collection center	Conducted wholly within a completely enclosed building or within an area enclosed on all sides by a solid fence or wall at least six feet in height; and provided, that no goods, materials, or objects shall be stacked higher than the fence or walls so erected
Redemption center	
Religious, benevolent, or philanthropic societies, civic organizations, and quasi public uses	
Short term rental homes, in lawfully existing single-family dwellings	Subject to the restrictions and standards of chapter 19.65 of this code
Swap meet or open air market	
Taxicab, car rental, and U drive stations and offices	
Warehouse facilities associated with a permitted use within the district <i>or with the primary hotel within the Urban District in Hana.</i>	
Other similar businesses or commercial enterprises or activities that are not detrimental to the welfare of the surrounding area <i>or to the historic character of the site</i>	Provided that such uses shall be approved by the appropriate planning commission as conforming to the intent of this article

Appendix III - Site Plan and Improvements



1 Existing/ Demolition Site Plan
 Scale: 1/8" = 1'-0"

Existing Permit No.'s
 B892515, B901949, B860669, B861478,
 SM2 900043, SM2 870195

Revisions	
1	11/17/21 Revised notes for exist shed. Omitted (E) shed at PL

This work was prepared by me or under my direct supervision and construction of this project will be under my supervision.

MARTIN V. COOPER
 PROFESSIONAL ARCHITECT
 No. 7350
 HAWAII

License expires on 04/30/22

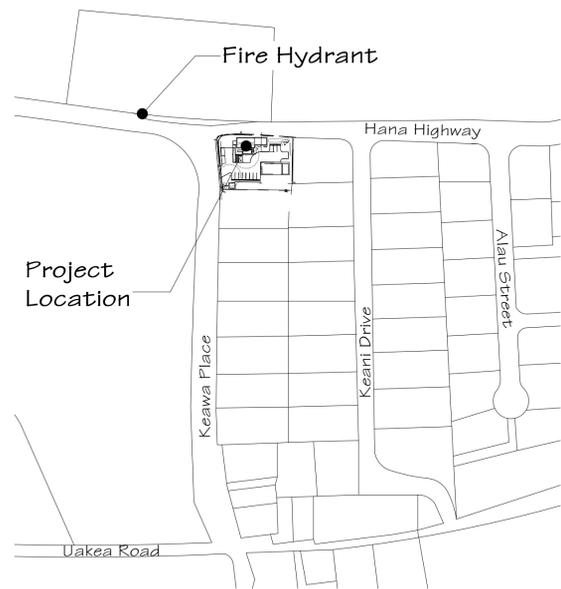
Existing/ Demolition Site Plan

Proposed Alteration For:
Mani Hana Resort (DE) LLC
 Keawa Place, Hana, Highway, Hawaii
 TMK: (2)1-4-013:001

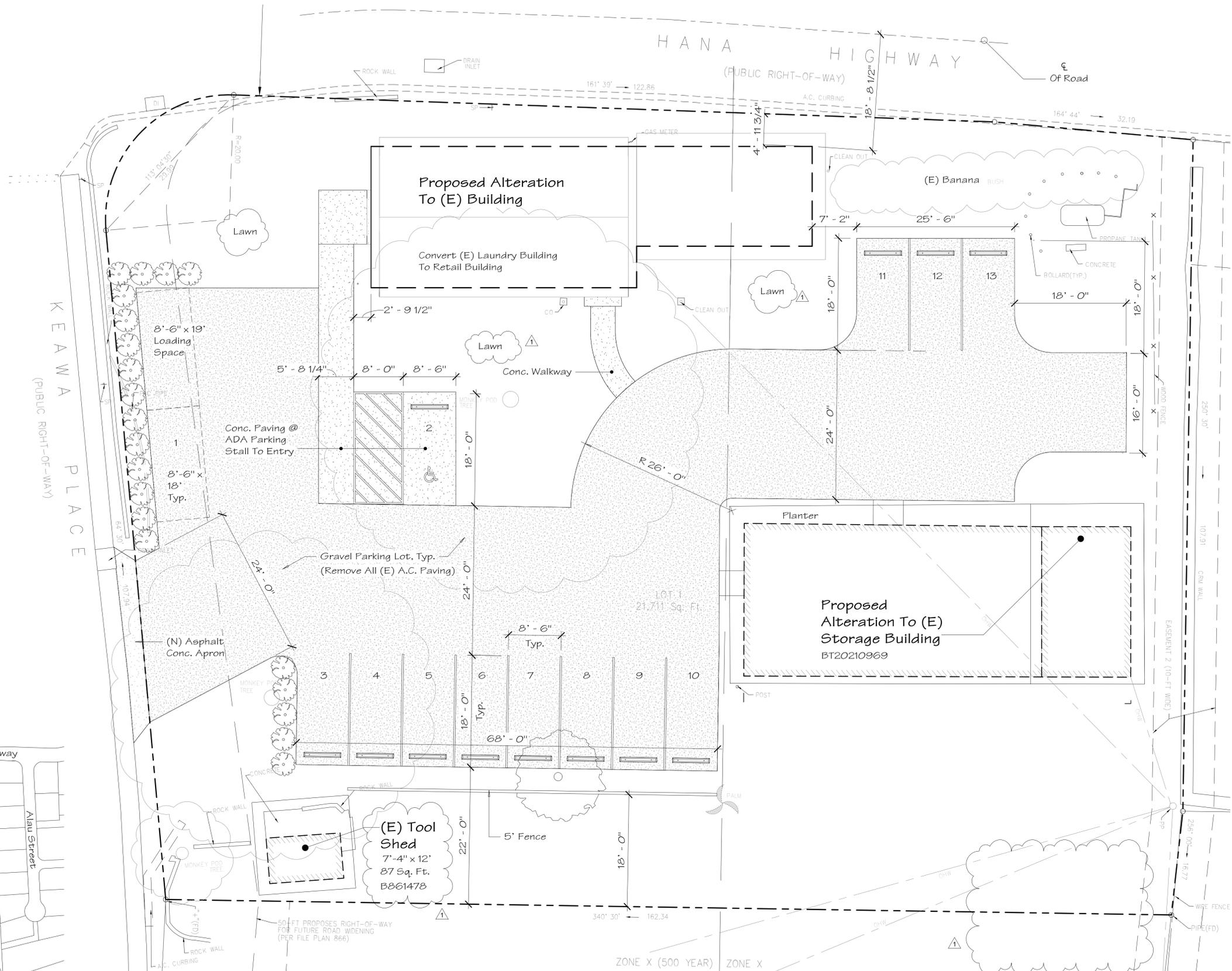
HUNTON CONRAD & ASSOCIATES INC

Date: June 30, 2021
 Scale: 1/8" = 1'-0"
 Drawn: RN
 Job: HCG
 Sheet:

AO



A Vicinity Map/ Fire Hydrant Location
Scale: 1" = 200'-0"



1 Site Plan
Scale: 1/8" = 1'-0"

Existing Permit No.'s
B892515, B901949, B860669, B861478,
SM2 900043, SM2 870195

Revisions	

This work was prepared by me or under my direct supervision and construction of this project will be under my supervision.

MARTIN V. COOPER
PROFESSIONAL ARCHITECT
No. 7350
HAWAII

License expires on 04/30/22

Site Plan

Proposed Improvements For:
Mani Hana Resort (DE) LLC
Keawa Place, Hana, Highway, Hawaii
TMK: (2)1-4-013:001

Date: June 30, 2021
Scale: As indicated
Drawn: RN
Job: HCG
Sheet:

A1

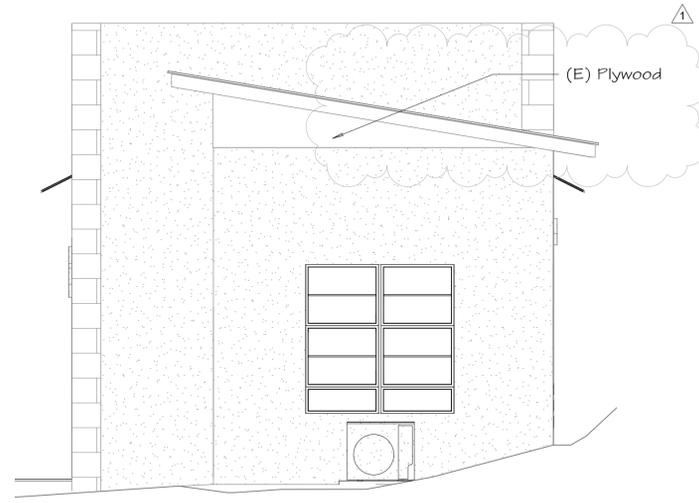
HUNTON CONRAD & ASSOCIATES INC



1 East Elevation
Scale: 1/4" = 1'-0"



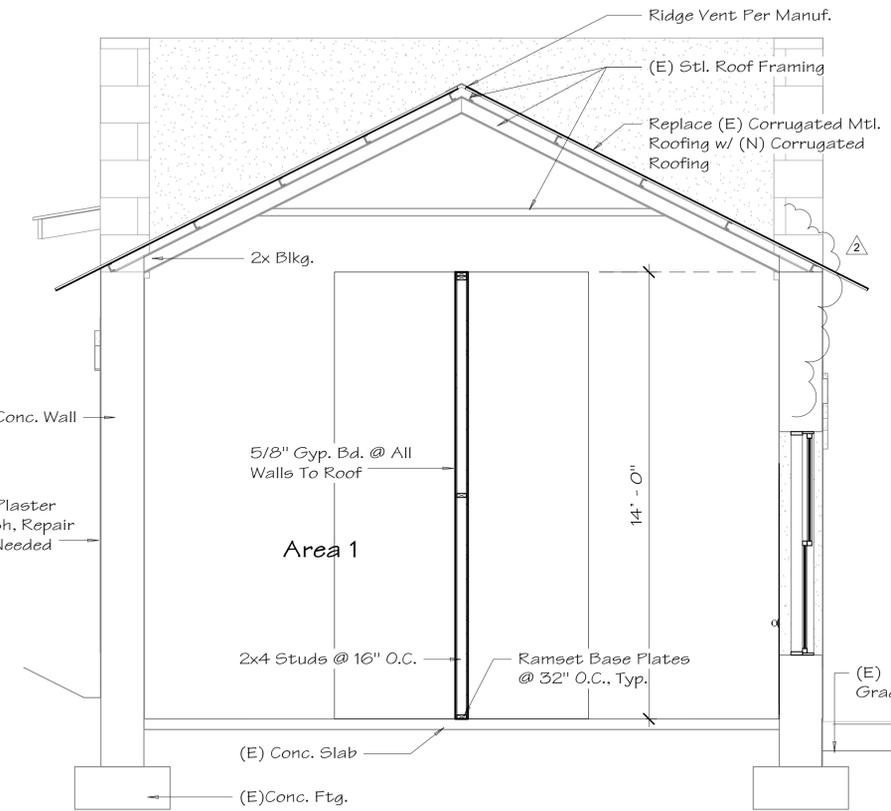
2 South Elevation
Scale: 1/4" = 1'-0"



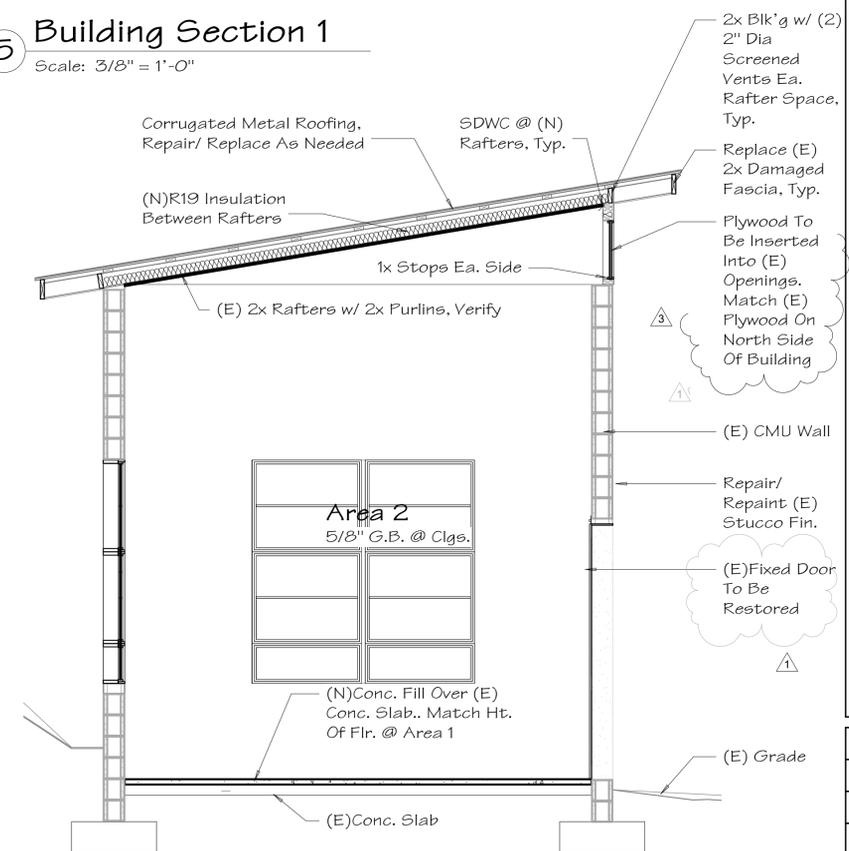
3 North Elevation
Scale: 1/4" = 1'-0"



4 West Elevation
Scale: 1/4" = 1'-0"



5 Building Section 1
Scale: 3/8" = 1'-0"



6 Building Section 2
Scale: 3/8" = 1'-0"

Revisions		
3	1/5/22	Rev. note
2	1/5/22	Rev'd section 4 notes
1	11/17/21	Rev'd 4 added notes

This work was prepared by me or under my direct supervision and construction of this project will be under my supervision.

MARTIN V. COOPER
PROFESSIONAL ARCHITECT
No. 7350
HAWAII

License expires on 04/30/22

Exterior Elevations & Building Sections

Proposed Alteration For:
Mani Hana Resort (DE) LLC
Keawa Place, Hana, Highway, Hawaii
TMK: (2)1-4-013:001

Date: June 30, 2021
Scale: As indicated
Drawn: RN
Job: HCG

Sheet:
A3

HUNTON CONRAD & ASSOCIATES INC

Appendix IV – Cultural Resources:

- CRC Review and Approval
 - State Nomination Form

MICHAEL P. VICTORINO
Mayor

MICHELE CHOUTEAU MCLEAN, AICP
Director

JORDAN E. HART
Deputy Director



DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

February 25, 2022

Hunton Conrad
1102 Mailuna Place
Makawao, Hawai'i 96768

Dear Mr. Conrad:

RE: COMMENTS FROM THE MAUI COUNTY CULTURAL RESOURCES COMMISSION ON PLANS TO ALTER THE FORMER HĀNA STORE STORAGE BUILDING AT KEAWA PLACE, HĀNA, TMK (2) 1-4-013:001 (SMX 2021/0253)

At its February 3, 2022 meeting, the Maui County Cultural Resources Commission (Commission) reviewed the subject plans and voted to adopt the recommendations as stated in the attached staff report.

Should you have any questions or require additional clarification, please contact Annalise Kehler, Cultural Resources Planner, at (808) 270-7506 or email annalise.kehler@mauicounty.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Michele Chouteau McLean".

MICHELE CHOUTEAU MCLEAN, AICP
Planning Director

xc: Hunton Conrad, consultant, conradhunton@gmail.com (PDF)
Mani Hana Resort (DE) LLC, applicant/owner, dmani@manibrothers.com (PDF)
Will Spence, mauiwill@gmail.com (PDF)
Paul Fasi, Current Division (PDF)
Mary Kodama, State Historic Preservation Division, mary.kodama@hawaii.gov (PDF)
Andrew McCallister, State Historic Preservation Division, andrew.mccallister@hawaii.gov (PDF)
Janet Six, County Department of Management (PDF)

MCM:AAK:rhl

K:\WP_DOCS\Planning\CRC\2021\Design Reviews\Rehabilitation - Hana Store (Laundry Bldg)\Comment Letter to Hunton Conrad - Hana Store Renovations.doc

MICHAEL P. VICTORINO
Mayor

MICHELE CHOUTEAU MCLEAN, AICP
Director

JORDAN E. HART
Deputy Director



DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

February 3, 2022

MEMORANDUM

TO: Chair Brandis Sarich and Members of the Cultural Resources Commission

FROM: Michele Chouteau McLean, AICP, Planning Director 

SUBJECT: **DESIGN REVIEW FOR PLANS TO ALTER THE FORMER HĀNA STORE STORAGE BUILDING AT KEAWA PLACE, HĀNA, TMK (2) 1-4-013:001 (SMX 202/0253)**

REQUEST

The consultant, Hunton Conrad, on behalf of owner and applicant, Mani Hana Resort (DE) LLC, requests the Cultural Resources Commission's (Commission) comments on plans to alter the former Hāna Store storage building. The subject building was listed in the Hawai'i Register of Historic Places in 1990.

AUTHORITY

The Commission is authorized to comment on projects that affect buildings eligible for the Hawai'i Register of Historic Places under Subsection 2.88.060.F, Maui County Code.

BACKGROUND

This staff report replaces an earlier version dated December 2, 2021. The report has been updated to reflect revised plans that were submitted to the Department of Planning in January of this year.

The plans call for the following alterations to the subject building and site:

- Removal of an attached shed.
- Removal and replacement of current parking surfaces.
- Sitework like landscaping and irrigation.
- Interior and exterior repairs and changes to the original, 19th century portion of the building and the 20th century addition.

Please review the attached plans for additional information.

For historical background on the building, please review the attached report, which was researched and compiled by Department planner Stanley Solamillo.

FINDINGS

As stipulated in Subsection 2.88.060.F, Maui County Code, the Commission is guided by the Secretary of the Interior's Standards for Rehabilitation (Standards) when performing design review for projects affecting historic buildings eligible for listing in the Hawai'i or National Registers of Historic Places. Because the building is listed in the Hawai'i Register, this staff report uses the Standards to analyze the plans.

The Standards that apply to this project include:

- **Standard #1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.**

Analysis: Historically, the building functioned as the storage building for the Hāna Store (which no longer exists). Most recently, it served as the laundry facility for the hotel in Hāna. The plans have been modified so that conversion of the building to retail use will involve minimal changes to the building. Interior walls will no longer be placed in front of existing window openings. New interior wood walls that obscure the interior surfaces of the historic coral and stone walls will no longer be constructed.

Sheet A1 indicates that a gravel parking lot will cover a large portion of the site. While this is better than the asphalt concrete surface that currently serves as the parking lot, perhaps some areas, especially by the proposed loading area at the corner of Keawa Place and Hāna Highway,

Sheets A2 and A3 indicate that a new air conditioning system will be installed. Preservation Brief 24, which discusses best practices for selecting mechanical systems for historic buildings, should be consulted: <https://www.nps.gov/tps/how-to-preserve/briefs/24-heat-vent-cool.htm>

- **Standard #2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.**

Analysis: The windows have shutter hinges on their exterior surrounds. These hinges should be retained and preserved because they indicate that the building once had shutters. Retaining these hinges may allow for the installation of operable shutters in the future.



Figure 1 - Shutter hinges visible on historic window surrounds.

- **Standard #3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.**

Analysis: If possible, historic photos of the building should be located. This will ensure that conjectural replacement windows and doors are avoided.

- **Standard #4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.**

Analysis: The rear addition appears to have been made sometime between the 1940s and 1960s, making it likely over 50 years old. At this point, the addition is probably historic in its own right, so it is appropriate that it be retained. The plans should ensure that the unique, character-defining features of this addition are retained as well. Currently, sheet A3 indicates that the screened clerestory openings on the addition's primary facade will be covered with plywood. This is an interesting and unique feature that should be retained and preserved, if possible.



Figure 2 - Clerestory openings on 20th century addition.

Sheets A2 and A4 indicate that the historic metal-framed awning windows will be retained and reglazed. These windows are unique, so preserving and repairing them is consistent with this standard.



Figure 3 - Metal-framed awning windows on 20th century addition.

- **Standard #5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.**

Analysis: Samples of plaster on the original, 19th century portion of the building should be collected and sent to a laboratory for analysis. Repairs should be made with a plaster mixture that is chemically similar to or compatible with the plaster on this portion of the building. Modern cement plasters are typically harder than historic lime-based plasters and are therefore inappropriate for use in repairs, especially if the original plaster is found to still be intact. The

project should consult and follow the guidance provided in Preservation Brief 22 concerning the preservation and repair of historic plaster (stucco): <https://www.nps.gov/tps/how-to-preserve/preservedocs/preservation-briefs/22Preserve-Brief-Stucco.pdf>

Care should also be taken to ensure that repairs do not alter the unique texture of the plaster walls on the 19th century portion of the building.



Figure 4 - Photo demonstrating unique texture of the historic masonry walls.

The roof framing in the original portion of the building consists of historic top chords, trusses, and a ridge beam made of metal. The bottom chords consist of metal rods. This roof framing system is highly unique and rare. It is a character-defining feature. Originally, the plans called for installation of a drop ceiling, which would obscure this framing system. This has since been eliminated and the structural members will be left exposed. Additionally, it is recommended that the rust be removed from them and that they be primed and painted with an appropriate paint. It appears that the members are made of cast and wrought iron. This should be verified and then best practices for cleaning and maintenance should be determined based on the metal type. This would protect the members and help ensure they last another 131 years.



Figure 5 - Interior roof framing in original portion of the building.

- **Standard #6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.**

Analysis: As indicated in the analysis of Standard #3, historic photos would help ensure that windows and doors are fitted with appropriate replacements. Investigation of window frames on the original portion of the building should also be done to see if any of them are historic. Information, such as the width and thickness of top and bottom sashes, can sometimes be obtained from original window frames. Original window frames might also indicate how deep each sash sat within the frame. Same with window sill and stool details. If any originals remain, they can be measured and documented. All of this information can be used to select appropriate replacement windows and details.

- **Standard #7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.**

Analysis: Care should be taken to ensure that best practices are used to clean and prepare exterior and interior surfaces. Preservation Brief 1, which discusses cleaning practices for

historic masonry buildings should be consulted: <https://www.nps.gov/tps/how-to-preserve/preservedocs/preservation-briefs/01Preserve-Brief-Cleaning.pdf>

- **Standard #8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.**

Analysis: According to the Special Management Area Assessment Application, the existing asphalt concrete and concrete paving at the parking lot will be removed and replaced with gravel and concrete paving. The proposed ground disturbance includes an area of approximately 9,800 square feet and a maximum depth of excavation of one foot. The quantity of cut/fill is identified on the application as three cubic yards.

Additionally, the plans indicate that new landscaping, drip irrigation, and a backflow preventer will be installed.

Given the age of the building and related site features as well as the property's proximity to nearby cultural sites, consultation with the State Historic Preservation Division and the County Archaeologist should be done to determine what archaeological identification or mitigation measures may be appropriate for the project.

DEPARTMENT RECOMMENDATIONS

In addition to the findings and recommendations previously discussed in this report, the Department also recommends the following:

- The building may be worthy of being recorded as a Historic American Building Survey (HABS) project like other significant buildings in Maui County.
- The current Hawai'i Register nomination needs to be updated with the new information that has been compiled by the Department. The updated nomination should change the building's name from "Hāna Store" to the "Hāna Store Storage Building," as it originally served as the storage building for the store, not the actual store.

Attachments

xc: Hunton Conrad, Consultant, conradhunton@gmail.com (PDF)
William Spence, mauiwill@gmail.com (PDF)

MCM:AAK:rh1

K:\WP_DOCS\Planning\CRC\2021\Design Reviews\Rehabilitation - Hana Store (Laundry Bldg)\Staff Report to CRC V2 -Design Review-Rehabilitation-Hana Store.docx













Hana Resort Laundry Room/Hana Store

BACKGROUND ON THE SUBJECT PROPERTY

Hana Resort Laundry Room is also known as the Hana Store and is listed in the Hawai'i Register of Historic Places (HRHP). It is purported to be one of the three oldest buildings in Hāna, and is recalled as having been constructed c. 1876. However, a review of registered survey maps of the town that were produced in 1882 and 1890 (Figures 1-4) as well as a 1919 Sanborn Insurance Co. map for the Kaeleku Sugar Co. (Figure 5) indicates that the current building identified as the "Hana Store" is not the store building at all, but a storage building. It also appears to have been constructed later than 1876. It is not recorded on the map of 1882 (although the Hana Store is) but it is included on the map of 1890, where it was shown as having been built abutting the rear façade of the store.

In 1919 the building was recorded in the *Sugar Mill and Cannery Map[s] of the Territory of Hawaii* by the Sanborn Insurance Co. (Figure 5) as one-story in height, tinted blue for stone construction, and fireproof. It had a metal cornice on the side façade that paralleled the "ROAD TO NAHIKU," windows with iron shutters on both side facades, and fire walls at each end that were 3'-0" above the ridge of a "STEEL TRUSS R[OO]F."¹ In contrast, "Hana Store" was tinted yellow for wood construction, was one story in height like the plantation dwellings nearby, with a wood shingle roof, and "NO CH[IMNEY]."² The Hana Store was part of a complex that consisted of eight buildings and structures. They included the store, the storage building, a stone water tank, two wood framed warehouses and three sheds, one of which sheltered automobiles. An addition was made later to the storage building sometime during the 1950s-60s and the store and associated outbuildings were demolished at indeterminate dates. The storage building is the only remnant of the Hana Store.

Hana Store may have opened as early as the 1870s, if not earlier, but the construction of a fireproof storage building between 1882 and 1890 may have occurred from the direct involvement of its Honolulu agent, M.S. Grinbaum & Company, a successful import/export merchandiser, in the sugar company's operations by 1884.

M.S. Grinbaum & Company, Ltd. (MSG&Co) appears to have been formed in 1866 and served as the commercial agent for the Hana Plantation Co (HPCo) for 25 years. The company's antecedent was a firm founded by a Jewish merchant named A.S. Grinbaum who arrived in Honolulu from San Francisco in 1856.³ He stayed in Honolulu for seven years before returning to the mainland, and was purported to have become wealthy from general merchandising in Hawai'i.⁴ He later advised two nephews, Morris S. Grinbaum and Morris Louisson, to go to Honolulu and pursue similar ventures. They followed his recommendation, incorporated MSG&Co, and the company was later advertised as "Importers and General Merchandise" and

¹ "Hana Store," "Kaeleku Plantation Co," Map 39D, *Sugar Mill and Cannery Map[s] of the Territory of Hawaii*. New York: Sanborn Insurance Company, 1919, 39.

² "Hana Store," "Kaeleku Plantation Co," Map 39D, *Sugar Mill and Cannery Map[s] of the Territory of Hawaii*. New York: Sanborn Insurance Company, 1919, 39.

³ Coffee, Rudolph L. "Jews and Judaism in the Hawaiian Islands." In *The Menorah*, Vol. 33, No. 1. New York: The Manarah Company, 1902, 260.

⁴ Coffee, Rudolph L. "Jews and Judaism in the Hawaiian Islands." In *The Menorah*, Vol. 33, No. 1. New York: The Manarah Company, 1902, 260.

“Commission Merchants.”⁵ MSG&Co became the commercial agent for the Hana Plantation Co. by 1884⁶ in addition to Heeia Sugar Plantation Company in Ko‘olau, as well as independent planters Barnes & Palmer and Bailey Brothers in Wailuku, and Thompson & Brothers in Kohala.⁷

MSG&Co acquired the Hana Plantation Co. in 1887,⁸ purchased the acreage of nearby independent planters, and consolidated them under a single entity by 1893.⁹ Although it is generally regarded as responsible for reversing the financial troubles that the Hana Plantation Co. had experienced under Lindgren, A.B. Howe, and Cook, as well as Needham and Unna,¹⁰ it still could not prevent the company’s descent into receivership. The company appears to have emerged from it in late 1904,¹¹ and was renamed and incorporated by MSG&Co as Kaeleku Sugar Company, Ltd. in 1905.¹²

MSG&Co’s determination to make Kaeleku Sugar Co. a success, caused it to abandon its mercantile business in Honolulu and dedicate all of its assets to the new entity. In statements released to the press in late 1905, it announced that “M.S. Grinbaum will go out of the mercantile business and devote undivided attention to sugar plantation development on the Island of Maui [and] the old Hana plantation reincorporated...as the Kaeleku Sugar Company.”¹³

The company achieved its objective and by 1908, it was rumored that Grinbaum would sell Kaeleku Sugar Company to T.H. Davies, then “disincorporate and go out of business.”¹⁴ The announcement was premature but the transition did occur in the following year.¹⁵

Little is known about the operations of the Hana Store before or after Grinbaum’s involvement with the company. With the exception of two managers—Henry C. Ovenden (1898-1906) and Joseph Herrscher (1924-35)—the store was supervised by a number of replacements who

⁵ “Grinbaum M.S.&Co, importers and commission agents.” *Hawaiian Kingdom Statistical and Commercial Directory and Tourists’ Guide, 1880-81*. San Francisco: George Bowser & Co., 1880, 72; “MS Grinbaum & Co, Importers and General Merchandise,” “MS Grinbaum & Co., Commission Merchants,” *Daily Bulletin*. Honolulu: J.W. Robertson & Co, February 24, 1882, 1.

⁶ “Hana Plantation (plantation and mill) A and O Unna, proprietors and managers, M S Grinbaum & Co agents, Honolulu, Hana,” *McKenney’s Hawaiian Directory*. San Francisco: L.M. McKenney & Co., 1884-85, 333.

⁷ “Sugar Plantations and Mills,” *McKenney’s Hawaiian Directory*. San Francisco: L.M. McKenney & Co., 1884-85, 79k [sic].

⁸ Landgraf, Libert. “Hana Store.” Nomination to the National Register of Historic Places, 1990, 3.

⁹ “Hawaiian Sugar Plantation History, No. 29—Kueleku[,] Island of Maui,” *Honolulu Star-Bulletin*, September 14, 1935, 12.

¹⁰ Landgraf, Libert. “Hana Store.” Nomination to the National Register of Historic Places, 1990, 3.

¹¹ “As to Hana Plantation,” *Hawaiian Gazette*, October 18, 1904, 5.

¹² “Hawaiian Sugar Plantation History, No. 29—Kueleku[,] Island of Maui,” *Honolulu Star-Bulletin*, September 14, 1935, 12.

¹³ “Grinbaum Going Out of Business,” *Maui News*, December 16, 1905, 1.

¹⁴ “Hawaiian Sugar Chat,” *American Sugar Industry and Beet Sugar Gazette*, Vol. 10, No. 5. Chicago: American Sugar Industry, 1908, 196-197.

¹⁵ “M.S. Grinbaum retiring from business...the Kaeleku Plantation agency has been transferred to Davies & Co.” *Hawaiian Annual*. Honolulu: Thos. G. Thrum, 1909, 191.

stayed in their capacities no longer than two years. The known managers included: George Watt (1907-09), G.O. Cooper (1909-10), Karl Roendahl (1910-11) and others.¹⁶

It remains unknown what the Hana Store storage building was constructed to securely house. However, it may be conjectured that the only items considered worthy of protection in a fireproof stone building with iron doors and window shutters (and more important than even sugar) were cash for payroll, bills of sale and signed IOUs, and other financial records.

¹⁶ Husted's Directory of Honolulu and the Territory of Hawaii, "Ovenden Henry C.," 1898, 648; "Watt, George," 1907, 754; "Cooper, G.O.," 1909, 756; "Roendahl, Karl," *Maui News*, April 8, 1911, 5.

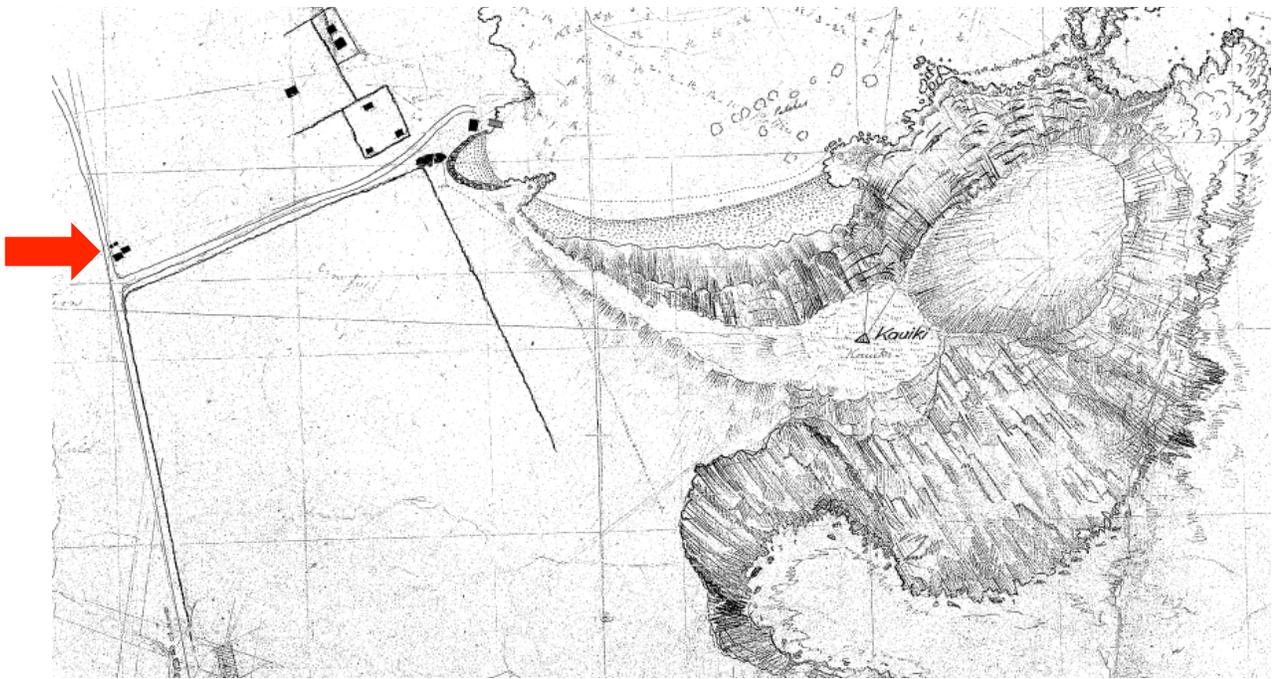


Figure 1. Worksheet for "Hana Harbor," Registered Map No. 945 (1882) showing Hana Store before construction of storage building. *Courtesy Hawaii State Archives.*

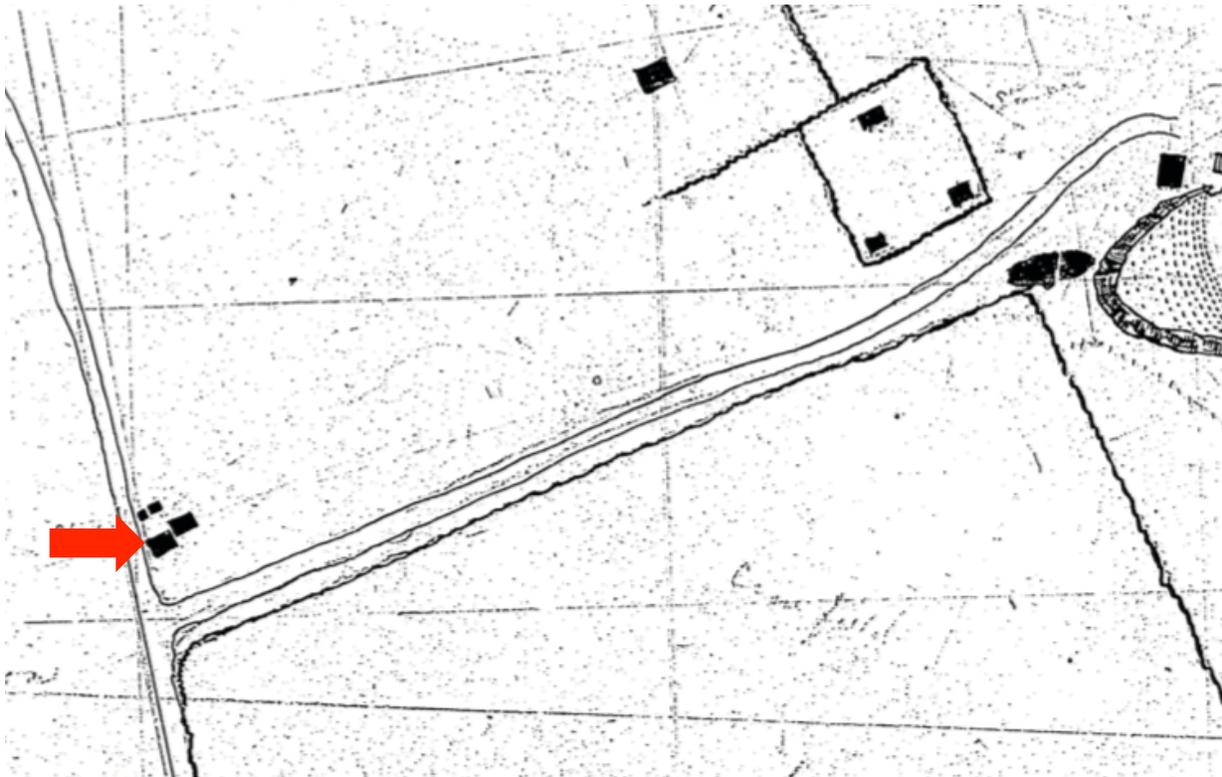


Figure 2. Enlargement of worksheet, "Hana Harbor," Registered Map No. 945 (1882), showing Hana Store before construction of storage building. *Courtesy Hawaii State Archives.*

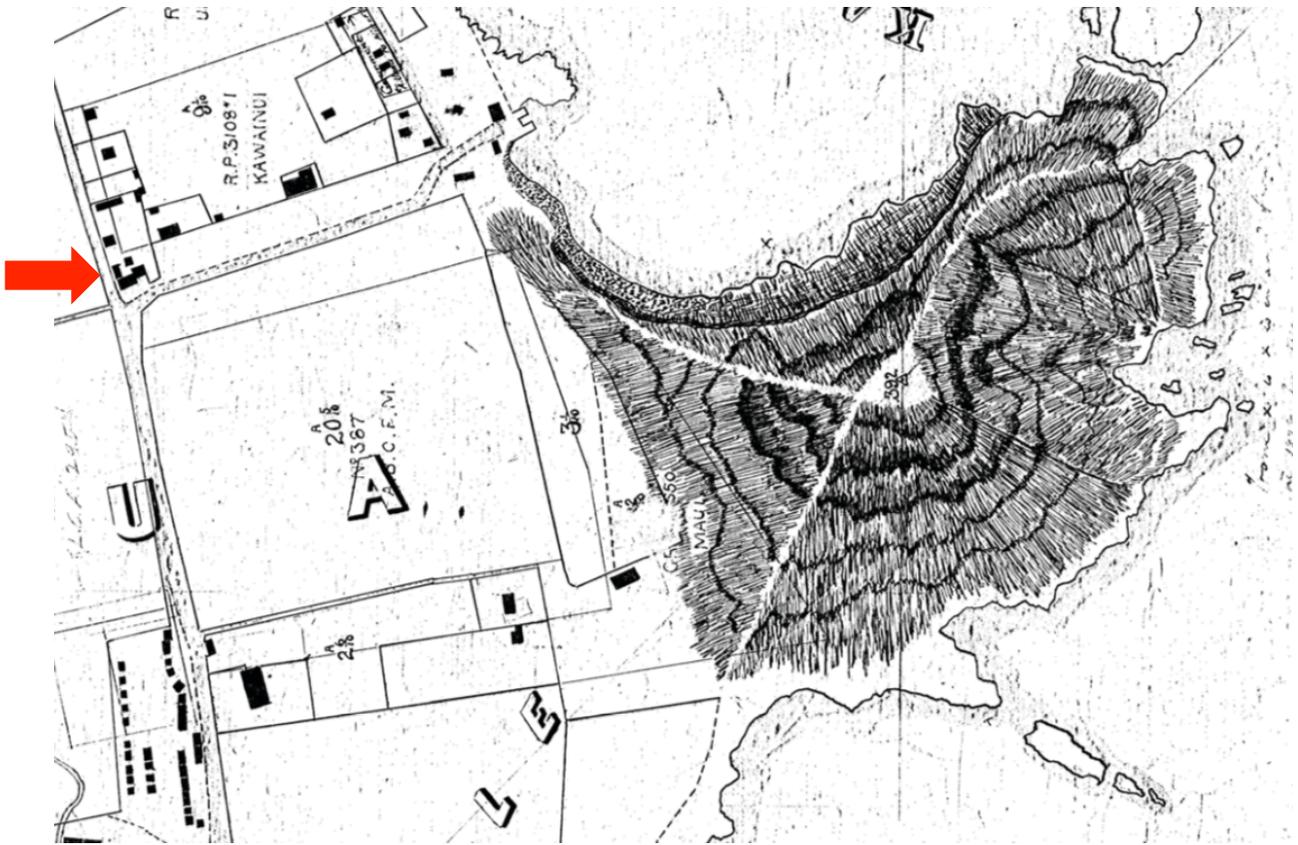


Figure 3. "Survey of Lands at Hana, Maui for the Hana Plantation Co.," Registered Map No. 1811 (1890). Courtesy Hawaii State Archives.

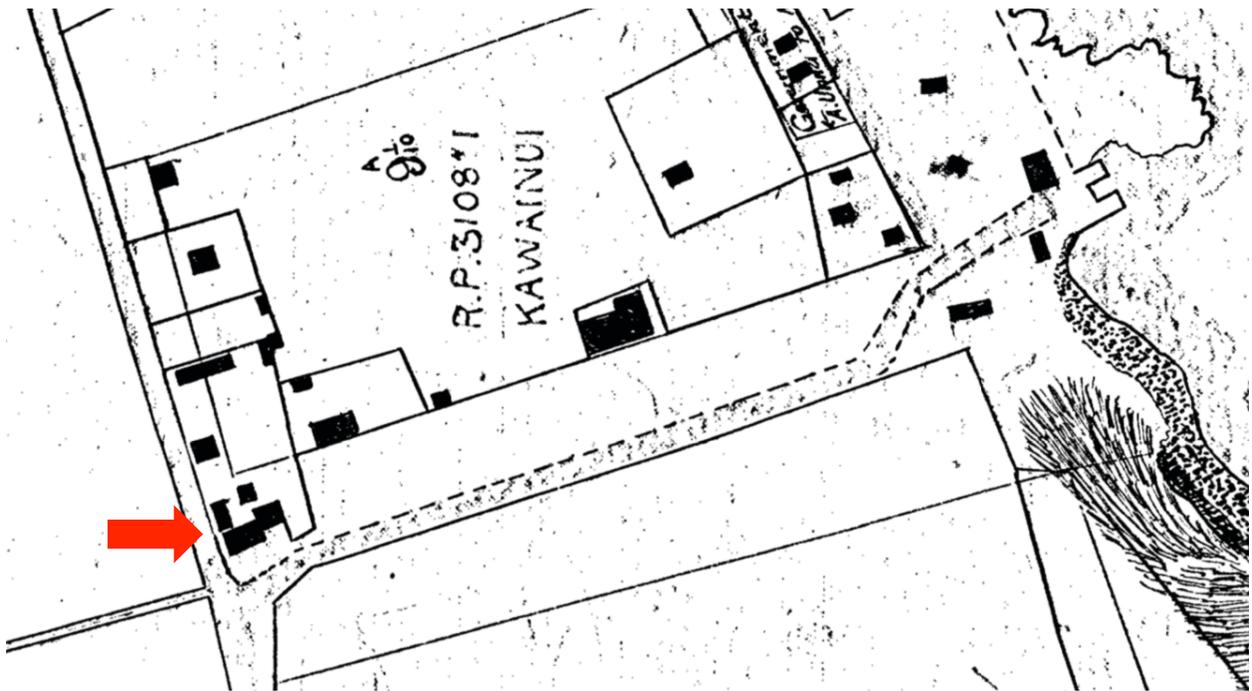


Figure 4. Enlargement of Registered Map No. 1811, showing Hana Store with accessory storage building (1890). Courtesy Hawaii State Archives.

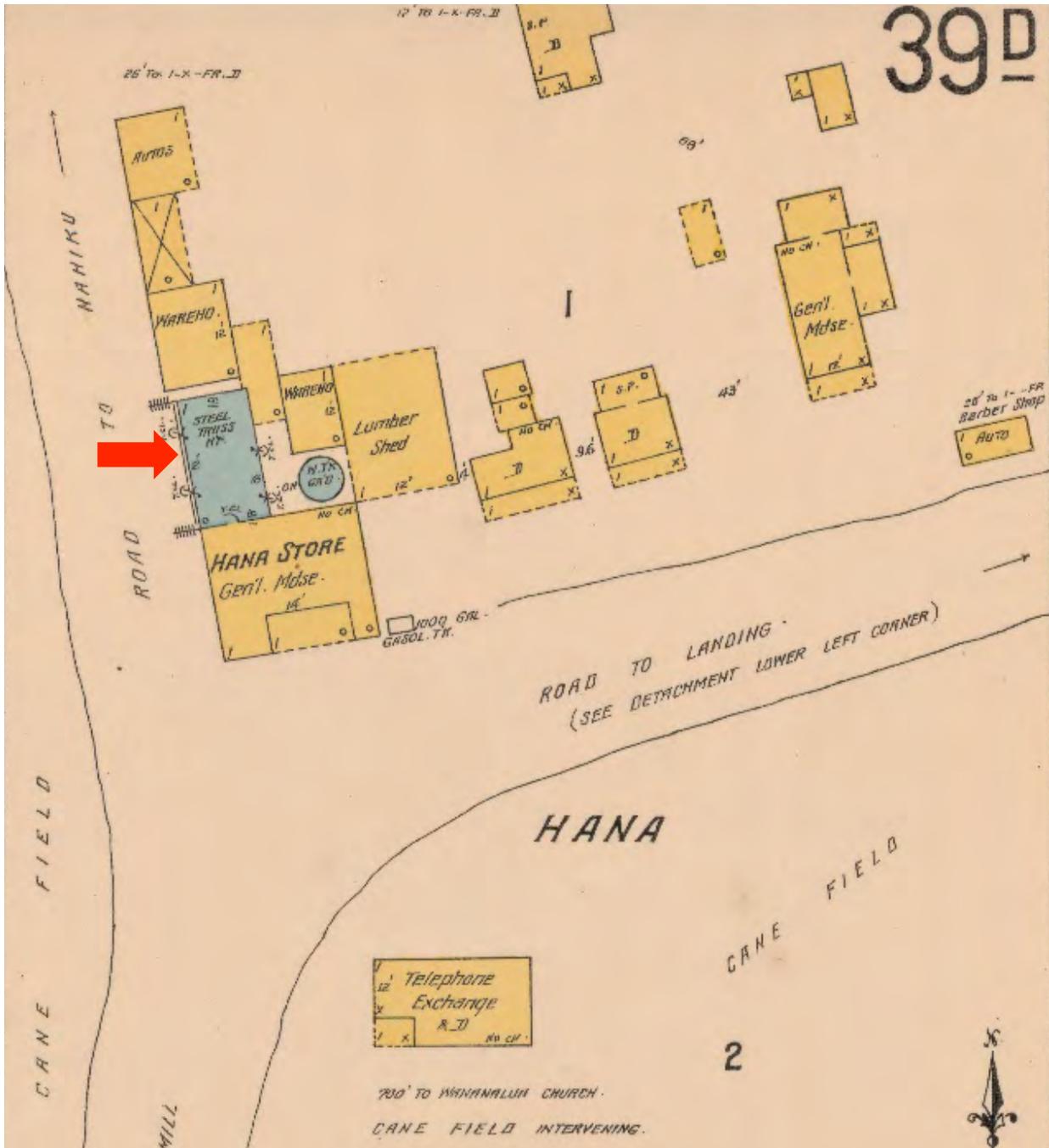


Figure 5. "Hana Store," "Kaeleku Plantation Co.," Map 39D, *Sugar Mill and Cannery Map[s] of the Territory of Hawaii*. New York: Sanborn Insurance Company, 1919, 39. Courtesy Maps, Photographs and GIS (MAGIS) UH Mānoa.

United States Department of the Interior
National Park Service

National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations of eligibility for individual properties or districts. See instructions in *Guidelines for Completing National Register Forms* (National Register Bulletin 16). Complete each item by marking "x" in the appropriate box or by entering the requested information. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, styles, materials, and areas of significance, enter only the categories and subcategories listed in the instructions. For additional space use continuation sheets (Form 10-900a). Type all entries.

1. Name of Property

historic name Hana Store
other names/site number _____

2. Location

street & number Hana Highway not for publication
city, town Hana vicinity
state Hawaii code HI county Maui code 009 zip code 96713

3. Classification

Ownership of Property	Category of Property	Number of Resources within Property	
<input checked="" type="checkbox"/> private	<input checked="" type="checkbox"/> building(s)	Contributing	Noncontributing
<input type="checkbox"/> public-local	<input type="checkbox"/> district	<u>1</u>	_____ buildings
<input type="checkbox"/> public-State	<input type="checkbox"/> site	_____	_____ sites
<input type="checkbox"/> public-Federal	<input type="checkbox"/> structure	_____	_____ structures
	<input type="checkbox"/> object	<u>1</u>	_____ objects
			<u>0</u> Total

Name of related multiple property listing: N/A

Number of contributing resources previously listed in the National Register 0

4. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act of 1966, as amended, I hereby certify that this nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property meets does not meet the National Register criteria. See continuation sheet.

Signature of certifying official _____

Date

State or Federal agency and bureau _____

In my opinion, the property meets does not meet the National Register criteria. See continuation sheet.

Signature of commenting or other official _____

Date _____

State or Federal agency and bureau _____

5. National Park Service Certification

I, hereby, certify that this property is:

- entered in the National Register.
 See continuation sheet.
- determined eligible for the National Register. See continuation sheet.
- determined not eligible for the National Register.

removed from the National Register.

other, (explain:) _____

Signature of the Keeper _____

Date of Action _____

6. Function or Use

Historic Functions (enter categories from instructions)

Commerce/Trade

Department store

Current Functions (enter categories from instructions)

other

Support Service - Laundry

7. Description

Architectural Classification

(enter categories from instructions)

other

vernacular

Materials (enter categories from instructions)

foundation stone

walls stone

roof metal

other N/A

Describe present and historic physical appearance.

The Hana Store is a simple, rectangular, single story, white washed, stone building. It has a corrugated metal gable roof, with a false front at the front and rear. The rubble lava rock walls have a thin coat of plaster. The plaster work at the corners has been scored to give the appearance of quoins.

The building is entered/exited through a centered double doorway. The doors are of recent vintage as are their slightly outset concrete frame. Three segmental arched, 1 x 1 double hung sash windows are on either side wall. These are mounted in concrete frames and appear to date from the twentieth century. The interior has a concrete floor.

A small, single story, gable roofed addition has been built onto the rear of the store building. This addition does not detract from the historic character of the building.

See continuation sheet

8. Statement of Significance

Certifying official has considered the significance of this property in relation to other properties:

nationally statewide locally

Applicable National Register Criteria A B C D

Criteria Considerations (Exceptions) A B C D E F G

Areas of Significance (enter categories from instructions)

Commerce

Community Development

Period of Significance
c 1876-1940

Significant Dates
c. 1876

Cultural Affiliation N/A

Significant Person N/A

Architect/Builder unknown

State significance of property, and justify criteria, criteria considerations, and areas and periods of significance noted above.

The Hana Store is significant for being one of the oldest extant buildings in Hana, and in turn for its associations with the development of Hana and the contribution made to the community via its mercantile activities.

The only other structures in the town which are known to date from the nineteenth century are the Wananalua Church (Hawaii and National Registers) and the Hana Court House (Hawaii Register). Built by the sugar plantation, the store is the sole reminder of the early commercial endeavors in Hana.

In the first half of the nineteenth century Hana was essentially a Hawaiian community with a subsistence economy. Missionary efforts in the remote district commenced in 1838 with the arrival of Reverend Daniel Conde, who was responsible for the construction of the stone Wananalua Church which was begun in 1842. Around 1850 Mr. Lindgren started a small 60 acre sugar cane plantation, one of the earliest in the Hawaiian Islands. A.B. Howe purchased this plantation shortly after its inception, and by 1852 had installed five cast iron kettles and an iron mill. The mill burned and was not rebuilt, thus concluding the initial experiment with sugar in the region. In 1863 Messrs. Cooke, Needham and Unna started Hana Plantation, which was sold to M.S. Grinbaum & Co. in 1887. In 1905 the plantation was taken over by Kaeleku Sugar Company which operated until 1944. Paul Fagan next purchased the plantation and converted it into a ranch and hotel, functions which still remain today, with the store now serving as the laundry for the hotel.

Hana was a small community, which in 1878 was reported to have a church, school, courthouse, thirty native houses and two general stores, of which this building was one. The date of this store building is uncertain, but it is estimated to date from at least 1876.

Appendix V – Historic Building and SMA
Permits, showing history of commercial uses

BUILDING INSPECTION DIVISION

DEPARTMENT OF PUBLIC WORKS

Application for Building Permit

PERMIT NO. #387-

TOTAL VALUATION \$ 35,000.00
PERMIT FEE \$ 114.00

2nd. Division				
Z	S	PL	PAR	LOT
1	4	13	1	

Legal Owner Hotel Hana Maui Address Hana

Lessee/Tenant _____ Address _____

Owner's Agent _____ Address _____

Plans By Hogan, Chapman, Cobeen, Weitz & Assoc. Inc Address 1210 Auahi St., Hon.

Builder Kaya Construction License # BC-03526 Address 1087 Dillingham Bldv., Hon.

Plumbing Contractor later Address _____

Electrical Contractor later Address _____

To construct and/or repair, etc., all in accordance with State Laws, and Ordinances of the County of Maui, to-wit:

New Building _____; Type _____ Constr.: Stories 1; Repairing _____; Demolition _____; Reconstruction _____;
Old Building X; Addition _____; Alteration X; Remodel _____; Moving _____; Misc. Structure _____;

At _____ Hana _____
House Number warehouse/garage Street _____ Town _____ District _____

Now Occupied as laundry To Be Occupied as beauty shop/laundry Lot Area _____

Fire Zone No. _____ Zone _____ Occupancy _____

Dimensions _____; Floor Area _____ Sq. Ft.; Ceiling _____
Walls stud walls; Floor existing; Basement Floor _____
Partitions stud walls; Roof _____; Connection to sewer or Cesspool _____
Foundation _____; Roof Overhang _____; Kind of Toilets flush

Distance between walls of this and the nearest building on the same property 40'

Distance to nearest interior lot boundary (right) 13' (left) 40' (rear) 10' (front) 80'

The free clearance between the bottom of floor and ground _____ in. Construction to be completed on or about _____

[Signature] Per _____ DATE OF APPLICATION 2/22/77
APPLICANT'S SIGNATURE _____

Remarks If existing cesspool should fail, the owner is responsible to install additional cesspool (s). (WN).
Tent

Driveway access shall be reduced to 25 feet maximum width.
LAND USE & CODES

Provide one (1) portable fire extinguisher 2A 10BC

Date of Receipt _____	<u>2/22/77</u> <u>[Signature]</u> DATE APPROVED PLANNING DEPARTMENT
<u>2-22-1977</u> <u>[Signature]</u> DATE APPROVED DEPARTMENT OF HEALTH, STATE OF HAWAII	<u>2/22/77</u> <u>[Signature]</u> DATE APPROVED DEPARTMENT OF WATER SUPPLY
<u>2-22-1977</u> <u>[Signature]</u> DATE APPROVED FIRE MARSHAL	<u>2/23/1977</u> <u>[Signature]</u> DATE APPROVED BUILDING OFFICIAL
_____ DATE APPROVED ENGINEERING DIVISION, DEPARTMENT OF PUBLIC WORKS	<u>2/24/77</u> <u>[Signature]</u> DATE OF ISSUANCE BUILDING DIVISION, DEPARTMENT OF PUBLIC WORKS

Date Inspected: <u>1</u> 19 _____ INSPECTOR	<u>1</u> 19 _____ INSPECTOR	<u>1</u> 19 _____ INSPECTOR
--	--------------------------------	--------------------------------

BUILDING INSPECTION DIVISION
DEPARTMENT OF PUBLIC WORKS
Application for Building Permit

PERMIT NO. #389

Table with 5 columns: Z, S, PL, PAR, LOT. Row 1: 1, 4, 13, 1, (blank)

TOTAL VALUATION \$ 90,000.00
PERMIT FEE \$ 211.50

Legal Owner: Hotel Hana Maui, Address: Hana
Lessee/Tenant:
Owner's Agent:
Plans By: Hogan, Chapman, Cobeen, Weitz & Assoc. Inc., 1210 Auahi St., Hon.
Builder: Kaya Construction, License #BC-03526, Address: 1087 Dillingham Blvd., Hon.
Plumbing Contractor: later
Electrical Contractor: later

To construct and/or repair, etc., all in accordance with State Laws, and Ordinances of the County of Maui, to-wit:

New Building: Type: Constr.: 1, Repairing: Demolition: Reconstruction:
Old Building: X, Addition: X, Alteration: X, Remodel: Moving: Misc. Structure:

At: Hana, House Number: Street: Town: District:

Now Occupied as: laundry/boiler, To Be Occupied as: gift shop/dec's, Lot Area:
Fire Zone No.: Zone: Occupancy:

Dimensions: 10'6" x 15', Floor Area: Sq. Ft.: Ceiling: gyp bd
Walls: stud walls, Floor: conc. & 2x6 RW decking, Basement Floor:
Partitions: stud walls, Roof: galv. metal roofing, Connection to Sewer or Cesspool:
Foundation: conc. blk, Roof Overhang: Kind of Toilets:

Distance between walls of this and the nearest building on the same property: attached
Distance to nearest interior lot boundary (right): 75', (left): 88', (rear): (front): 15'
The free clearance between the bottom of floor and ground: in. Construction to be completed on or about: 32'

APPLICANT'S SIGNATURE: Per: 2/22/77 DATE OF APPLICATION

Remarks: Driveway access shall be reduced to 25 feet maximum width. LAND USE & CODES

Provide one (1) portable fire Extinguisher 2A 10BC Rating

Date of Receipt: 2-22-77
DATE APPROVED: 2-22-77 DEPARTMENT OF HEALTH, STATE OF HAWAII
DATE APPROVED: 2-22-77 FIRE MARSHAL
DATE APPROVED: 2-22-77 ENGINEERING DIVISION, DEPARTMENT OF PUBLIC WORKS
DATE APPROVED: 2/22/77 PLANNING DEPARTMENT
DATE APPROVED: 2/23/77 DEPARTMENT OF WATER SUPPLY
DATE APPROVED: 2/24/77 BUILDING OFFICIAL
DATE OF ISSUANCE: 2/24/77 BUILDING DIVISION, DEPARTMENT OF PUBLIC WORKS
Date Inspected: 1/19 INSPECTOR

86/324

LAND USE & CODES ADMINISTRATION

DEPARTMENT OF PUBLIC WORKS

PERMIT NO. 86/0669

2nd Division				
Z	S	PL	PAR	LOT
1	4	13	1	1

Application for Building Permit

TOTAL VALUATION \$ 6,000.00

PERMIT FEE \$ 138.00*

Legal Owner Hana Ranch, Inc. Address P. O. Box 8, Hana 96713
 Lessee/Tenant n/a Address n/a
 Owner's Agent n/a Address n/a
 Plans By owner Address P. O. Box 8, Hana 96713
 Builder owner License # exempt #7 Address P. O. Box 8, Hana 96713
 Plumbing Contractor n/a Address n/a
 Electrical Contractor n/a Address n/a

To construct and/or repair, etc., all in accordance with State Laws, and Ordinances of the County of Maui, to-wit:

New Building n/a; Occupancy _____; Type _____ Constr.; Stories 1; Repairing n/a; Reconstruction n/a;
 Old Building X; Addition X; Remodel n/a; Demolition n/a; Moving n/a; Misc. Structure n/a;

At corner of Hana Hwy & Keawe Pl Hana District _____
 House Number _____ Street _____ Town _____ District _____

Now Occupied as Garage/shop To Be Occupied as shop Lot Area 21711 sf Zone Interem

Dimensions 19' x 32' Floor Area _____ Sq. Ft.; Ceiling n/a
 Walls plywood Floors n/a Basement Floor n/a
 Partitions plywood Roof dia. rib Connection to Sewer or Cesspool n/a
 Foundation conc. Roof Overhang _____

Distance between walls of this and the nearest building on the same property attached
 Distance to nearest interior lot boundary (right) attd (left) 12' (rear) _____ (front) 37'

Joseph O Fournier PRINT - APPLICANT'S NAME Joseph O Fournier APPLICANT'S SIGNATURE 2/11/86 DATE OF APPLICATION

I hereby certify that I am a bona fide contractor licensed in the State of Hawaii.

Joseph O Fournier PRINT NAME Joseph O Fournier SIGNATURE OF CONTRACTOR

I claim an exemption under Section 444-2(7) of the Hawaii Revised Statutes and hereby certify that this structure is for my personal use and not for use or occupancy by the general public. I further certify that such building or structure will not be offered for sale or lease within 1 year after completion.

I claim exemption from the provisions of Chapter 464 HRS, requiring certification and stamping of plans by a registered architect or structural engineer as permitted under Sec. 464-13(b). I further certify that I will record this exemption with the Bureau of Conveyances as required by Sec. 464-13(c).

Approval is granted subject to compliance with the use regulations set forth in Chapter 205, Hawaii Revised Statutes and the Land Use Commission's Rules and Regulations. The owner will provide notice of these use regulations to future owners, heirs, and assigns. Owner acknowledges that he has received from the County of Maui a copy of Section 205-4.5, Hawaii Revised Statutes.

Joseph O Fournier PRINT NAME Joseph O Fournier SIGNATURE OF OWNER 2-11-86 DATE

FLOOD ZONE B, C

REMARKS: *Double permit fee; construction started prior to obtaining Bldg permit

RECEIVED
 LAND USE & CODES
 FEB 11 5 27 AM '86
 COUNTY OF MAUI
 WAILUKU, HI 96793

3/3 19 86 DATE APPROVED	<u>Walter Warner</u> DEPARTMENT OF HEALTH, STATE OF HAWAII	3/17 19 86 DATE APPROVED	<u>Archie</u> PLANNING OFFICIAL, LUCA
2/29 19 86 DATE APPROVED	<u>Carol M. Weyata</u> FIRE MARSHAL CHIEF	19 DATE APPROVED	DEPARTMENT OF WATER SUPPLY
4/2 19 86 DATE APPROVED	<u>G. King</u> ENGINEERING OFFICIAL, LUCA	3/31 19 86 DATE APPROVED	<u>Bleuwater</u> BUILDING OFFICIAL
	4/2/86 DATE OF ISSUANCE	<u>ll. [Signature]</u> PERMIT CLERK, LUCA	
Date Inspected	19	19	19
INSPECTOR	INSPECTOR	INSPECTOR	INSPECTOR

Appl ID: A892204

BUILDING INSPECTION WORKSHEET

Permit No.: B 89 2515

Prepared: 10/11/89 Issued: 10/11/89 Project: ROSEWOOD HOTEL - REMODEL

Zoning: URBAN Value: \$44,754 el#: 248-8354 TMK: 1 4 013 001 Lot: .

Flood Zone: C Location: HANA HWY, HANA

Name	Address	Zip
Owner: *ROSEWOOD HOTELS INC /ETAL L/Ts:	P O BOX 567 HANA	96713

Plans By: HANA CONTRACTORS	P O BOX 519 HANA	96713
Builder: HANA CONTRACTORS INC	P O BOX 519 HANA	96713
Lic# CT 0013547	Phone No.: 248-8354	

Now Occupied As: ENGINEERING BLDG To Be Occupied As: PERSONNEL/HOUSEKPG

Nature of Work: REPAIR

Dimensn: 62'6" X 35'5"	Walls: WOOD/METAL	Ceil: GYP BD/OPEN
Partitn: DOUBLE WALL	Floor: CONCRETE	Roof: CORRIGATED METAL
BasnFlr: N/A	Foundation: CONCRETE SLAB	Overhang: 3'
Desc Remarks:		

Lot Area: 27711 F	Floor Area (sf): 36,610	Units:	Stories: 1
Nearest Lot Boundary: Rt= 20	Lt= 80	Rr= 12	Fr= 60
Const Type:	Sewer or Cesspool: C	Violations: 0	
Occup Grp:	Planning Dept Activities: 1		

APPROVAL REMARKS

***** INSPECTIONS *****

Foundation	Framing	Lath/Gyp Board	Final
------------	---------	----------------	-------

11/02/89 Framing - OK M. AQUINO	12/07/89 Dry wall NEED 1 BR FOR Sep. WALL. M. AQUINO	1/9/90 Final OK M. AQUINO
	12/27/89 Dry wall OK M. AQUINO	

COUNTY OF MAUI

BUILDING INSPECTION DIVISION

DEPARTMENT OF PUBLIC WORKS

Application and Building Permit

PERMIT
No. B

7192

2nd. Division				
Z	S	PL	PAR	LOT

Number of Plbg. Fixtures _____

TOTAL VALUATION \$ 2,800.00

PERMIT FEE \$ 15.00

Legal Owner Hana Ranch Company Address Hana, Maui, Hawaii

Lessee/Tenant _____ Address _____

Owner's Agent _____ Address _____

Plans By NDG Supply Inc. Address Haleiwa, Maui

Builder F & M Contractors, Inc. Address "

Plumbing Contractor _____ Address _____ Permit No. _____

Electrical Contractor _____ Address _____ Permit No. _____

To construct and/or repair, etc., all in accordance with State Laws, and Ordinances of the County of Maui, to-wit:

New Building _____; Type _____ Constr.; Repairing _____; Stories _____; Demolition _____; Reconstruction _____;
 Old Building ; Addition ; Alteration _____; Remodel _____; Moving _____; Misc. Structure _____;

At _____
 House Number _____ Street _____ Town _____ District _____

Now Occupied as _____ To Be Occupied as _____ Lot Area _____

Fire Zone No. _____ Zone _____ Occupancy _____

Dimensions see plan; Floor Area 115 Sq. Ft.; Ceiling _____
 Walls hol tile w/plaster; Floor conc; Basement Floor _____
 Partitions "; Roof corr iron; Connection to Sewer or Cesspool _____
 Foundation _____; Roof Overhang _____; Kind of Toilets flush

Distance between walls of this and the nearest building on the same property _____
 Distance to nearest interior lot boundary (right) _____ (left) _____ (rear or front) _____
 The free clearance between the bottom of floor and ground _____ in. Construction to be completed on or about _____

REMARKS

addition of boiler room.

addition to Laundry Room.

P. Olata (Jr)
 APPROVED:
 Date Jan 11 1962

Walter J. ...
 Agent, State Department of Health

Date January 10 1962

Date _____ 196_____
 Date 1/11 1962

Grace ...
 Deputy Fire Marshal Maui
 Fire Division Head

T. Fujitomo
 APPLICANT

Date or dates when ready for inspection:
 _____ 196_____
 _____ 196_____
 _____ 196_____

Date inspected:
 _____ / _____ / 196____ By _____ Inspector
 _____ / _____ / 196____ By _____ Inspector
 _____ / _____ / 196____ By _____ Inspector

OFFICE COPY - NUMERICAL

DEPARTMENT OF PLANNING
COUNTY OF MAUI
200 S. High Street
Wailuku, Maui, Hawaii 96793
(808) 243-7735

March 27, 1990

Mr. Victor Sinenci
P.O. Box 315
Hana, HI 96713

Dear Mr. Sinenci:

Re: Special Management Area (SMA) Minor Permit --- Repair of existing laundry building, housekeeping and personnel office, upgrade of parking lot, storage of 2 "matson" containers and construction of a cart garage, TMK 1-4-13:1, Hana, Maui. (90/SM2-043)

In response to your request, received on February 5, 1990, for a determination in accordance to the Special Management Area Rules and Regulations, Section 2-9.5 of the County of Maui, a determination has been made relative to the above project that:

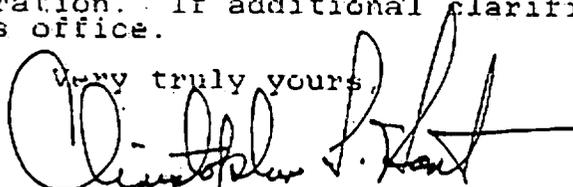
1. Said project is a development;
2. Said project has a valuation not in excess of \$85,000.00;
3. Said project has no significant adverse environmental or ecological effect, taking into account potential cumulative effects; and
4. Said project is consistent with the objectives, policies, and Special Management Area guidelines set forth in the Hawaii Revised Statutes 205-A and is consistent with the County General Plan and Zoning.

In consideration of the above determination, you are hereby granted a Special Management Area Minor Permit approval, subject to the following conditions:

1. That construction shall be in accordance with plans received February 15, 1990.
2. That a building permit shall be obtained prior to initiation of construction.
3. That appropriate measures shall be taken to mitigate the short-term impact of the project relative to soil erosion from wind and rain; and ambient noise levels.
4. That all "matson" containers shall be painted green to match existing buildings.
5. That neither the cart garage nor any "matson" containers shall be located adjacent to the laundry building.
6. That any proposed modifications to the exterior of the historic laundry building shall be submitted to this department for review.
7. That full compliance with all other applicable governmental requirements shall be rendered.

Thank you for your cooperation. If additional clarification is required, please contact this office.

Very truly yours,



CHRISTOPHER L. HART
Planning Director

cc: LUCA/CZM
Building/Planning Inspectors
K. Fairbanks

COUNTY OF MAUI
PLANNING DEPARTMENT

200 South High Street, Wailuku, Hawaii 96793

SPECIAL MANAGEMENT AREA MINOR PERMIT
APPLICATION FORM

RECEIVED

26 10 51 AM '90

COUNTY OF MAUI

I. APPLICANT INFORMATION

NAME: VICTOR M. SINENCI

ADDRESS: P. O. BOX 315

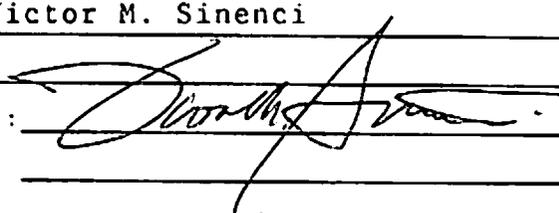
HANA, HAWAII 96713-0315

TELEPHONE NO.: (Bus.) (808)248-8602 (Residence) (808)248-8601

Applicant's Interest if Not the Owner: Applicant is licensed contractor retained by the owner to perform said work.

APPLICANT NAME(S): Victor M. Sinenci

APPLICANT SIGNATURE(S):



II. DESCRIPTION OF PROPERTY

Tax Map Key: 1-4-13:1 Acreage: 21,711 sq.ft. (approx. 1/2 acre)

Location(s): corner of Keawa Pl. & Hana Hwy., Hana, Maui, Hawaii

Current State Land Use District Boundary Designation:
urban

Community Plan Designation:

Maui County Zoning Designation, if Applicable:

Other Special Designation, if Applicable:

III. DESCRIPTION OF REQUEST

Briefly Describe the Existing Use of the Property:

Property is currently used for laundry building, housekeeping & personnel building, parking lot and open space by the Hotel Hana Maui.

Briefly Describe the Proposed Development:

Proposed development includes repair of existing laundry building, repair of existing housekeeping & personnel office, upgrade of laundry parking lot, construction of a cart garage, & storage of two Matson-type containers on the property.

COMPUTER LOG #

9/10/SMS-43

SPECIAL MANAGEMENT AREA ASSESSMENT
REQUIRED SUBMITTALS

1. Evidence that the applicant is the owner or lessee of record of the real property.
2. A notarized letter of authorization from the legal owner if the applicant is not the owner.
3. An Environmental Impact Statement if required pursuant to Chapter 343, Hawaii Revised Statutes, or if required by the Planning Director.
4. Original copy of a certified shoreline survey. Survey shall be the actual field location of the shoreline or prepared by a land surveyor registered in the State of Hawaii. The survey maps developed by the registered land surveyor shall bear the surveyor's signature and date of field survey and the certifying signature and date of the chairman of the Board of Land and Natural Resources. (Survey to be recorded and valid within six months.)
5. Two (2) copies of a written description of the request.
6. Two (2) sets of a plot plan of the land upon which the proposed action is to occur.
7. Two (2) sets of architectural plans, drawn to scale, to include but not be limited to site plans, floor plans, sections and elevations. Furthermore, said plans will identify building materials, color scheme, and graphics for the project. Said plans must be dated.
8. Photographics of the project site.
9. Valuation of Project: \$ 61,815.00 (*Interior + exterior work*)
(Valuation of the total cost or fair market value of the proposed action as estimated by an architect, engineer, or contractor, licensed by the Department of Regulatory Agencies, State of Hawaii or by the Land Use and Codes Administration, County of Maui.)
10. Any other information and documentation required by the Director. (i.e. traffic impact analysis, archaeological reconnaissance, etc.)

*DOES THE PROJECT FALL UNDER ANY OF THE FOLLOWING:

1. The use of State or County funds or lands;
2. The use within any land classified as Conservation District by the State Land Use Commission under Chapter 205, Hawaii Revised Statutes;
3. The use within the shoreline area as defined in Section 205-31, Hawaii Revised Statutes;
4. The use within any Historic Site as designated in the National Register or Hawaii Register.

NOTE: Two (2) additional copies for projects located on Molokai.
One (1) additional copy if the project fronts a State Highway.

State of Hawaii }
County of Maui }

On this 18th day of January, 1990,
personally appeared before me Liebert Landgraf to
me known to have executed and signed the following
on his own free act and will.

LS

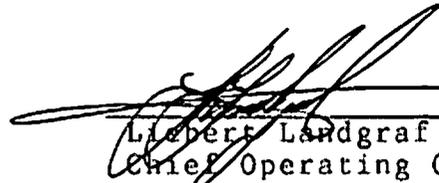
Mavis J. Medeiros
Notary Public

My commission expires:
4/11/93

January 11, 1990

To Whom it May Concern,

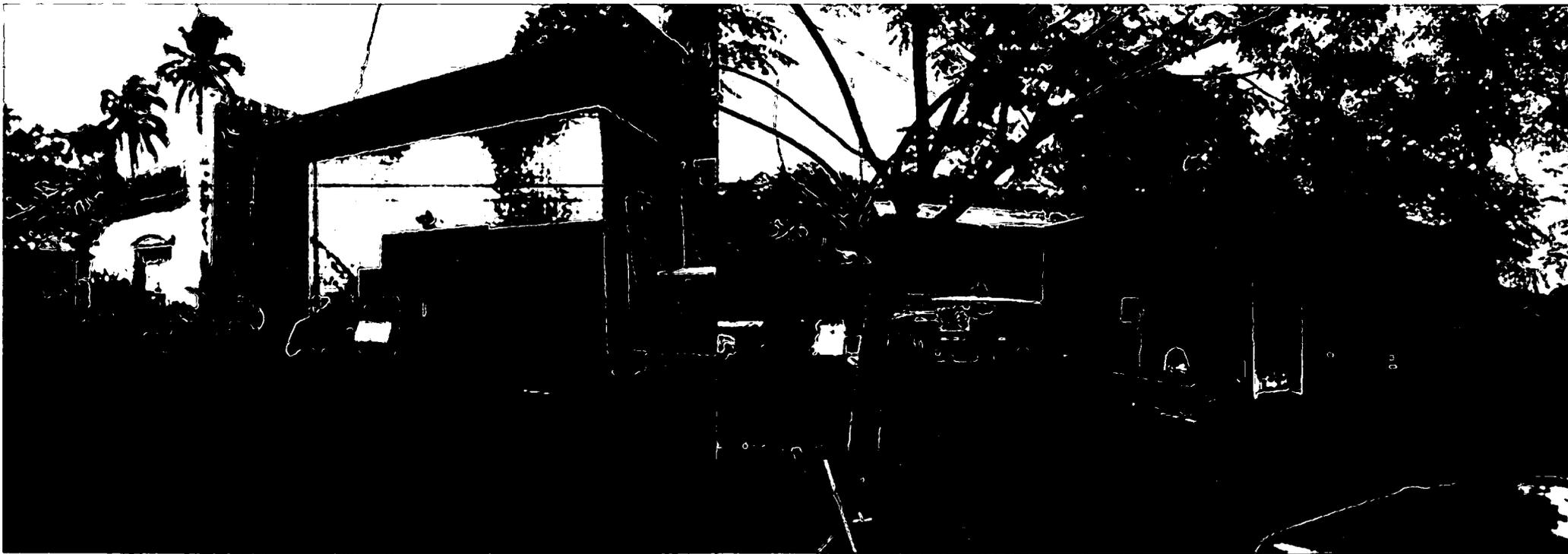
As authorized representative of Keola Hana Maui, owners of the Hotel Hana Maui, I hereby grant permission to Mr. Victor M. Sinenci to proceed with Special Management Area permitting for the Laundry Lot (TMK 1-4-13:1)

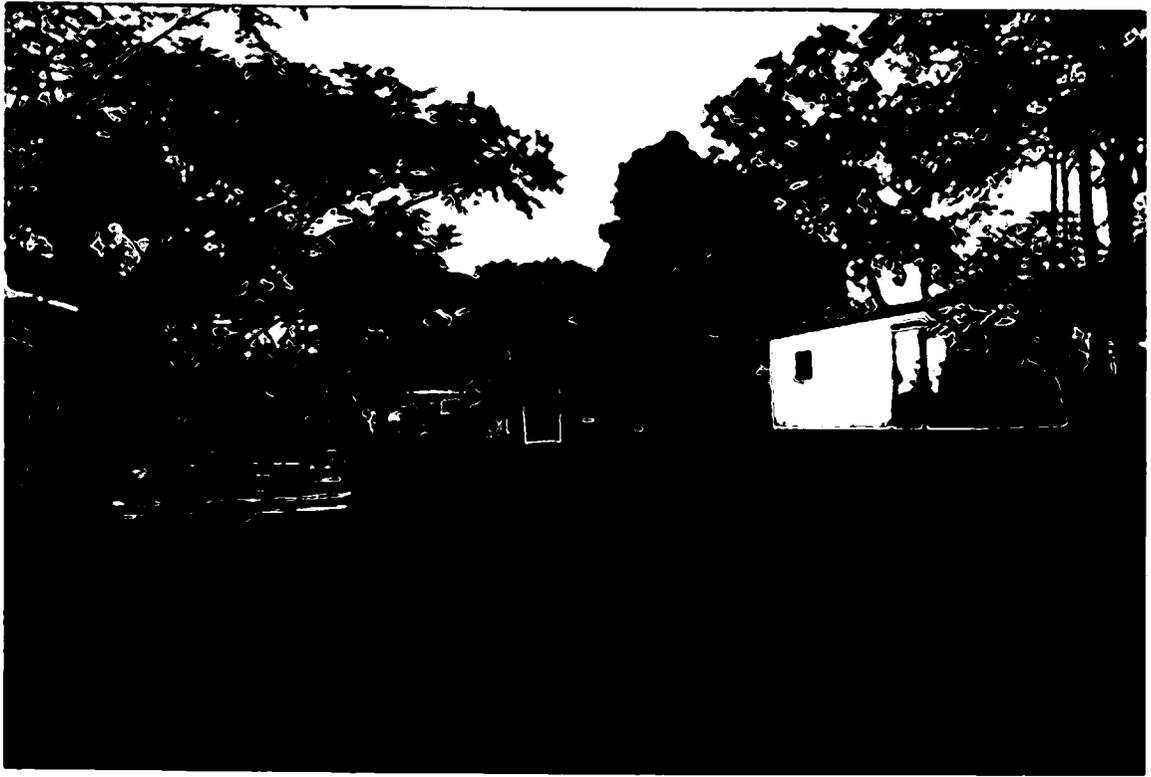


Liebert Landgraf
Chief Operating Officer
Keola Hana Maui

DESCRIPTION OF THE REQUEST

The subject property (T.M.K. 1-4-13:1) is currently used for laundry building, housekeeping/personnel office, parking lot and open space by the Hotel Hana Maui. Proposed development includes repair of existing housekeeping/personnel office, upgrade of laundry parking lot, construction of a cart garage, and storage of two Matson-type containers on the property.





COUNTY OF MAUI

LAND USE & CODES ADMINISTRATION DEPARTMENT OF PUBLIC WORKS Application for Building Permit

PERMIT NUMBER

DATE ISSUED

INITIAL

I claim an exemption under Sec. 444-2(7) of the HRS and hereby certify that this structure is for my personal use and not for use or occupancy by the general public. I further certify that such building or structure will not be offered for sale or lease within one year after completion.

Upon conviction, any violator shall be fined \$500 for the first offense, \$1,000 for the second offense, and not less than \$1,500 or more than \$2,000 for any subsequent offense.

I claim exemption from the provisions of Chapter 464 HRS, requiring certification and stamping of plans by a registered architect or structural engineer as permitted under Sec. 464-13 (b). I further certify that I will record this exemption with the Bureau of Conveyances as required by Sec. 464-14(c).

Approval is granted subject to compliance with the use regulations set forth in Chapter 205, HRS and the Land Use Commission's Rules & Regulations. The owner will provide notice of these use regulations to future owners, heirs and assigns. I acknowledge that I have received from the County of Maui a copy of Sec. 205-4.5 HRS.

X William R. Sides II 1-9-90
SIGNATURE OF OWNER DATE

I hereby certify that I am a bona fide contractor licensed in the State of Hawaii.

X _____ _____
SIGNATURE OF CONTRACTOR DATE

APPLICATION NO.	T	ZONE	SEC	PLAT	PAR	LOT
DATE RECEIVED	M	1	4	13	1	
	K					
	(s)					

FOR LAND USE & CODES ADMINISTRATION USE ONLY

A P P R O V A L S R E Q U I R E D	AGENCY	SIGNATURE	DATE
	<input type="checkbox"/> DEPT. OF WATER	_____	_____
	<input type="checkbox"/> DEPT. OF HEALTH	_____	_____
	<input type="checkbox"/> FIRE MARSHAL	_____	_____
	<input type="checkbox"/> ENGIN., LUCA	_____	_____
	<input type="checkbox"/> BUILDING, LUCA	_____	_____
<input type="checkbox"/> PLANNING DEPT.	_____	_____	_____

ISSUED BY _____ ACCEPT VAL. \$ _____
PERMIT FEE \$ _____

REMARKS:

Applicant certifies that he/she has determined if there are any restrictive covenants applicable to the proposed construction on subject property and so, that the structure herein applied for conforms with said covenants. Applicant acknowledges that County has no responsibility to determine conformance with covenants and hereby agrees to defend and hold County harmless from any and all claims arising out of any alleged breach thereof.

William R. Sides II 1-9-90
SIGNATURE OF OWNER DATE

PROJECT NAME _____

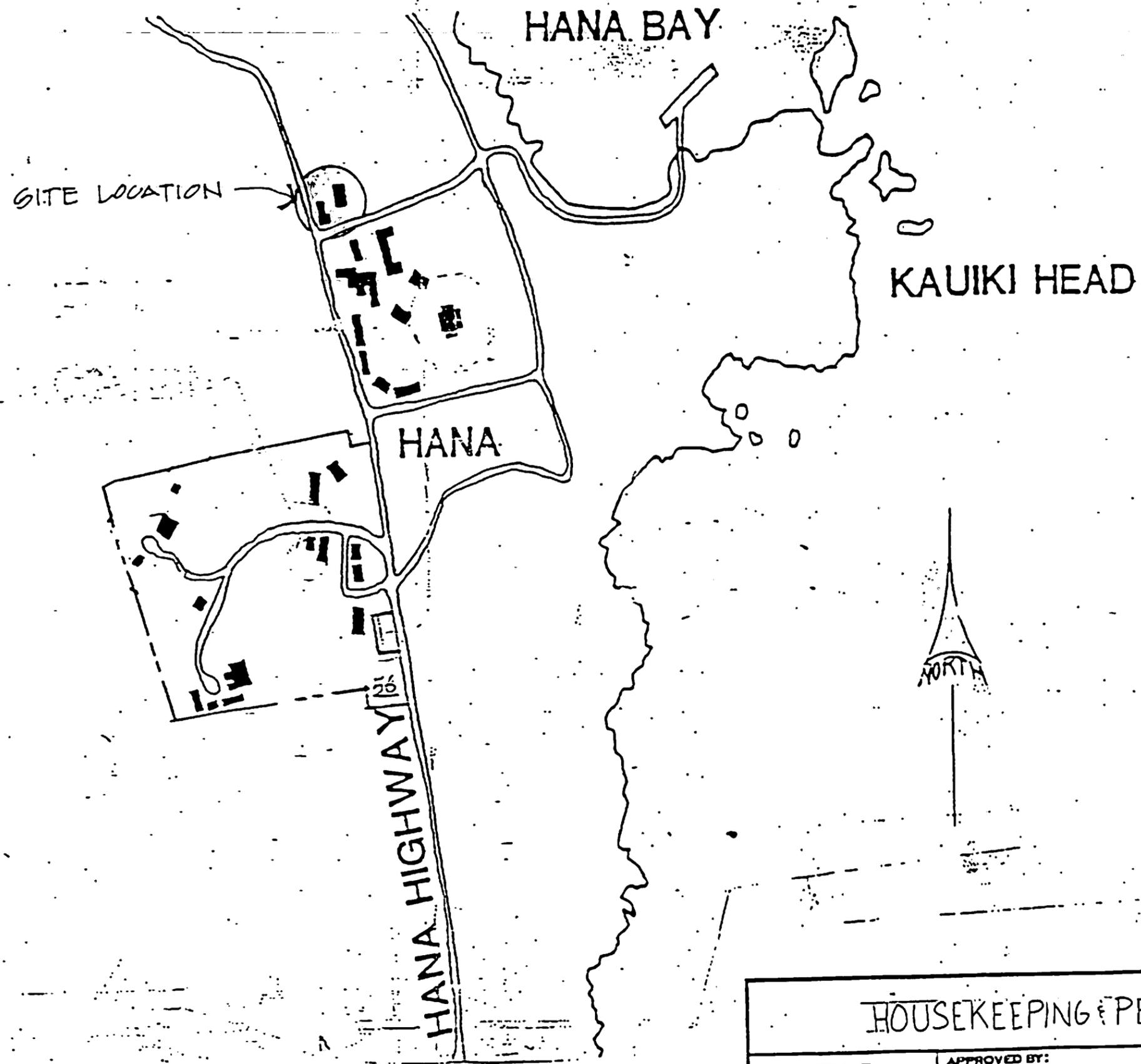
CONSTRUCTION TYPE _____

OCCUPANCY GROUP _____

OWNERSHIP _____ ZONE _____ FLOOD ZONE _____

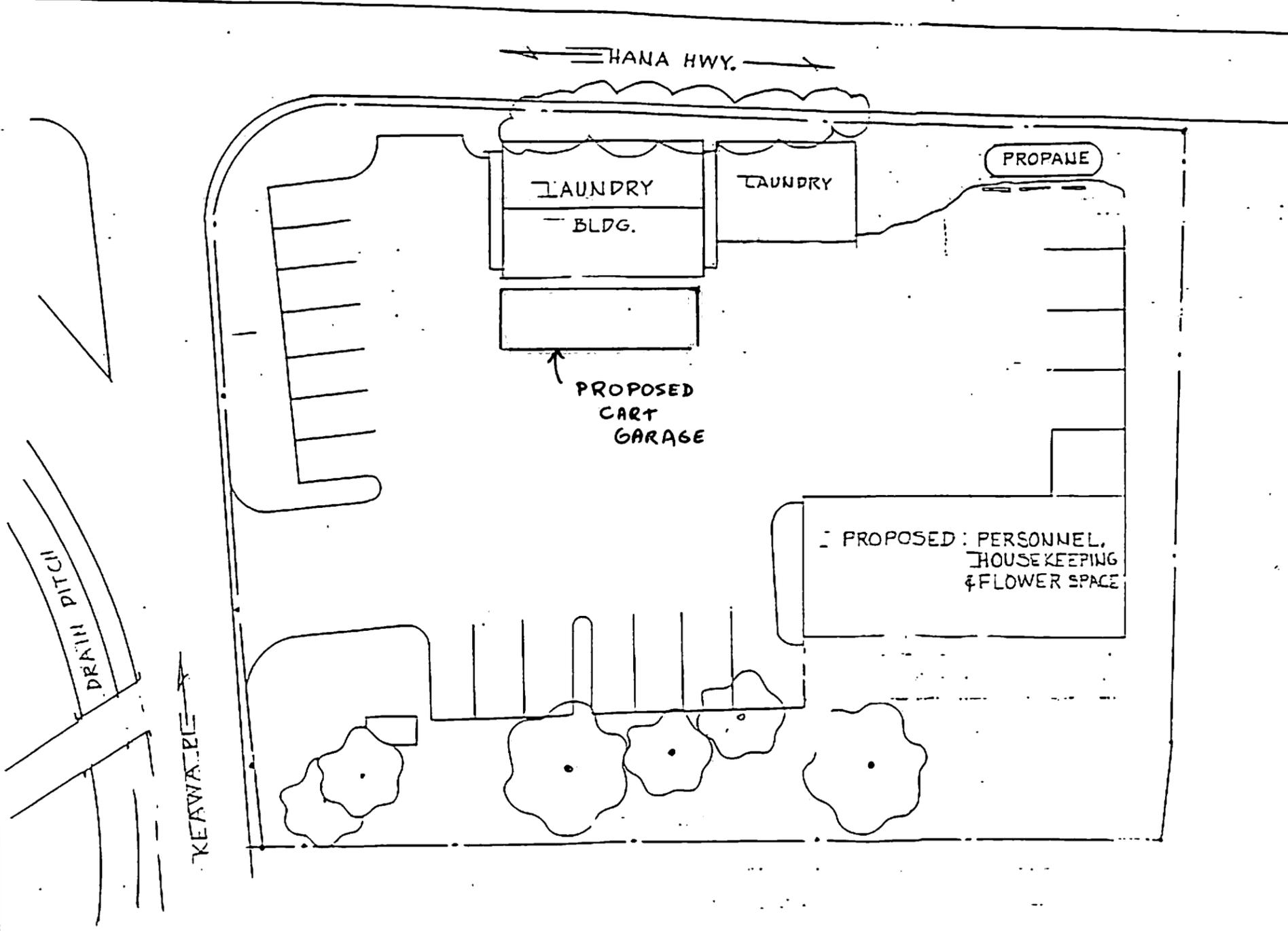
APPLICANT: PLEASE FILL IN AREA BELOW (TYPED)

PROJECT ADDRESS (HOUSE NO AND STREET) Corner of Keawa Pl. and Hana Highway	NATURE OF WORK (CHECK ALL THAT APPLY)		
PROJECT ADDRESS (TOWN AND DISTRICT) Hana, Maui, Hawaii 96713	<input type="checkbox"/> NEW BUILDING	<input type="checkbox"/> FENCE	<input type="checkbox"/> FOUNDATION
LEGAL OWNER (FULL NAME) KEOLA HANA MAUI INC.	<input type="checkbox"/> RETAINING WALL	<input checked="" type="checkbox"/> SHELL ONLY (Minimal) ALTERATION	<input type="checkbox"/> RELOCATION
MAILING ADDRESS (INCLUDE ZIP CODE) P.O. BOX 8 HANA, HAWAII 96713	<input type="checkbox"/> ADDITION	<input checked="" type="checkbox"/> REPAIR	<input checked="" type="checkbox"/> RECONSTRUCTION (Minimal) DEMOLITION
LESSEE/TENANT (1)	<input type="checkbox"/> MISC. STRUCTURE	<input type="checkbox"/> SEA WALL	<input type="checkbox"/> SWIMMING POOL
MAILING ADDRESS (INCLUDE ZIP CODE) P.O. BOX 8 HANA, HAWAII 96713	NOW OCCUPIED AS Hskpg./Personnel Office	TO BE OCCUPIED AS Hskpg./Personnel Office	
LESSEE/TENANT (2)	DIMENSIONS 62'6" x 24'6"	WALLS Metal	
MAILING ADDRESS (INCLUDE ZIP CODE)	PARTITIONS 2 x 4 walls surfaced w/hogwire or	FOUNDATION Concrete	
LESSEE/TENANT (3)	FLOORS plywood sidings	ROOF Corrugated metal roof	
MAILING ADDRESS (INCLUDE ZIP CODE)	CEILING Open in storage area	BASEMENT FLOOR N/A	
LESSEE/TENANT (4)	<input type="checkbox"/> SEWER OR CESSPOOL N/A	ROOF OVERHANG 3'	ESTIMATED VALUE OF WORK \$22,400.00
MAILING ADDRESS (INCLUDE ZIP CODE)	NO. OF UNITS 1	NO. OF STORIES 1	FLOOR AREA Approx. 1600sq. ft.
PLAN MAKER WILLIAM R. SIDES II	LICENSE NO.	DISTANCE TO NEAREST INTERIOR LOT BOUNDARY (FEET)	
MAILING ADDRESS (INCLUDE ZIP CODE) P.O. BOX 8 HANA, HAWAII 96713	TELEPHONE NO. 248-8633	RIGHT: _____	NEAREST BLDG. 75'±
BUILDER	LICENSE NO.	LEFT: _____	REAR: 12'±
MAILING ADDRESS (INCLUDE ZIP CODE)	TELEPHONE NO.	FRONT: _____	
APPLICANT NAME VICTOR M. SINEPCI	TELEPHONE NO. 248-8601	REMARKS: Basically a repair only. Minimal demolition. The only exterior work is to paint the exterior and replace the existing corrugated metal roofing, which has become rotten. Cabinets and shelves are to be added to the interior, plus an air conditioner, outlets, fans, and interior lighting.	
SIGNATURE OF APPLICANT <u>Victor M. Sinepci</u>	DATE 1-11-90		



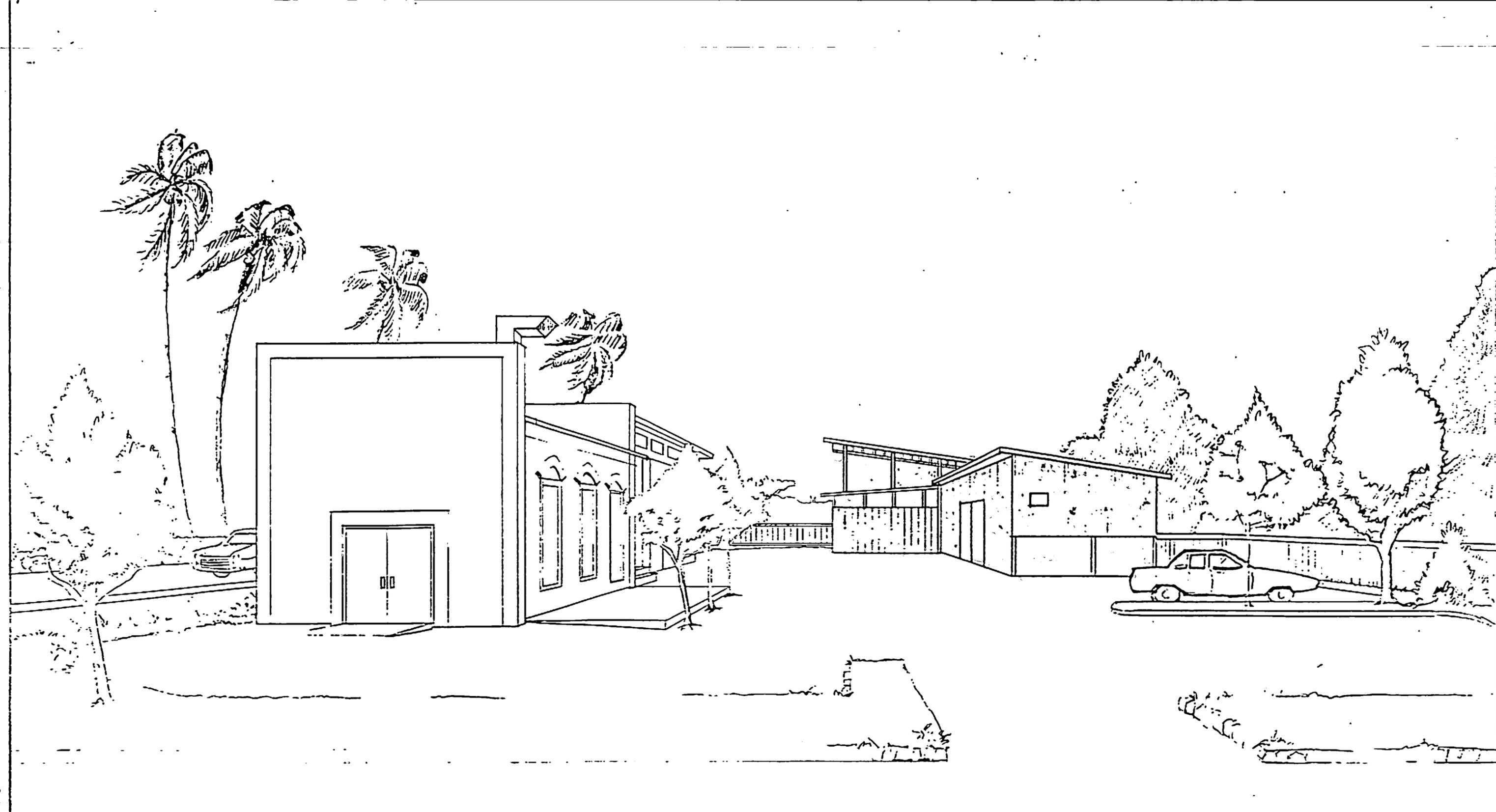
PLOT PLAN

HOUSEKEEPING & PERSONNEL OFC.		
SCALE: ---	APPROVED BY: _____	DRAWN BY: <u>JRS</u>
DATE: <u>1-27-88</u>		REVISED: ---
HOTEL HANA MAUI		
HANA CONTRACTORS INC		DRAWING NUMBER <u>2 of 2</u>

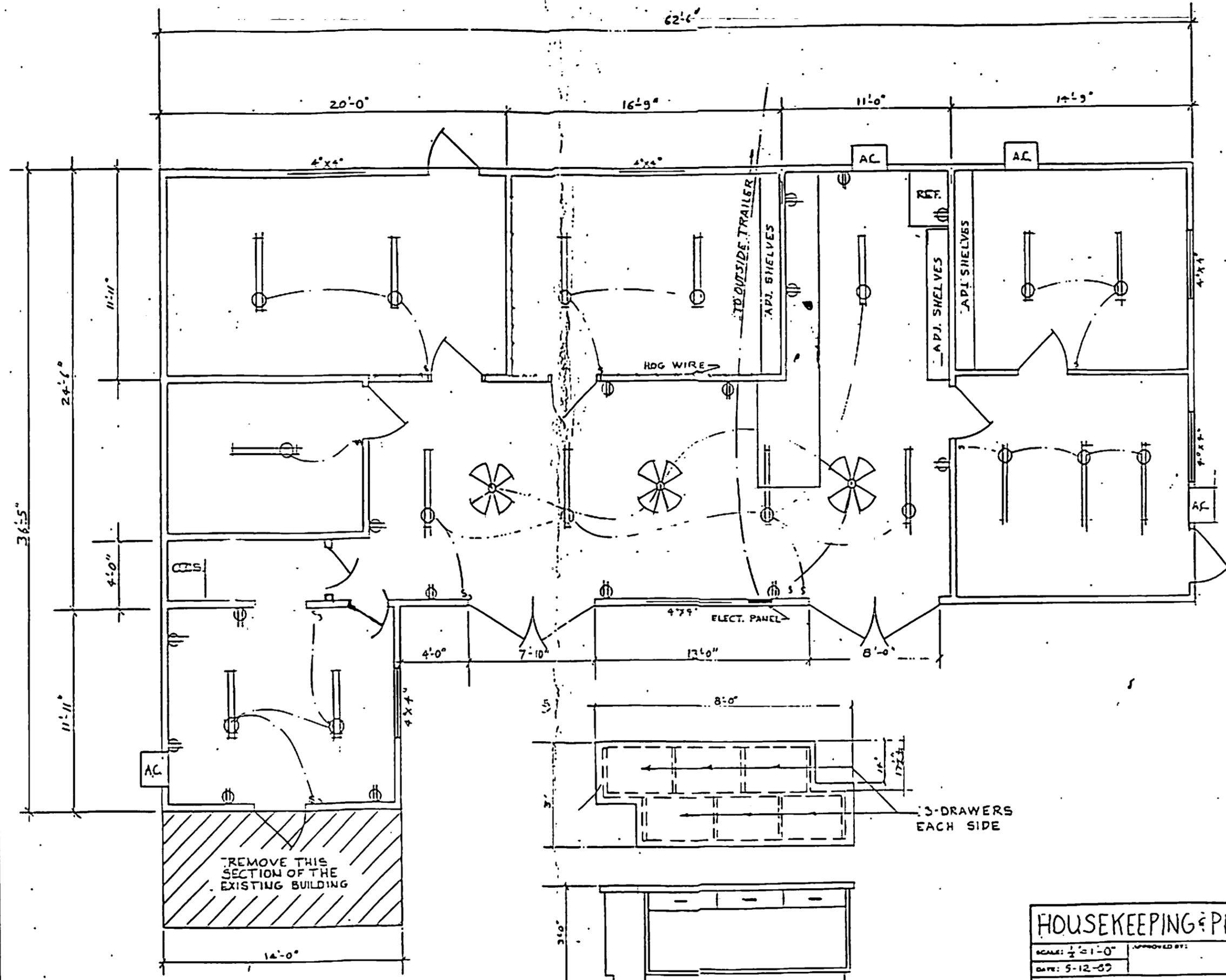


○ LAUNDRY LOT PLAN

LAUNDRY LOT PLAN		
SCALE: _____	APPROVED BY: _____	DESIGNED BY: WRS
DATE: 5-15-69	REVISED: _____	
HOTEL HANA MAUI		
DRAWING NUMBER: _____		



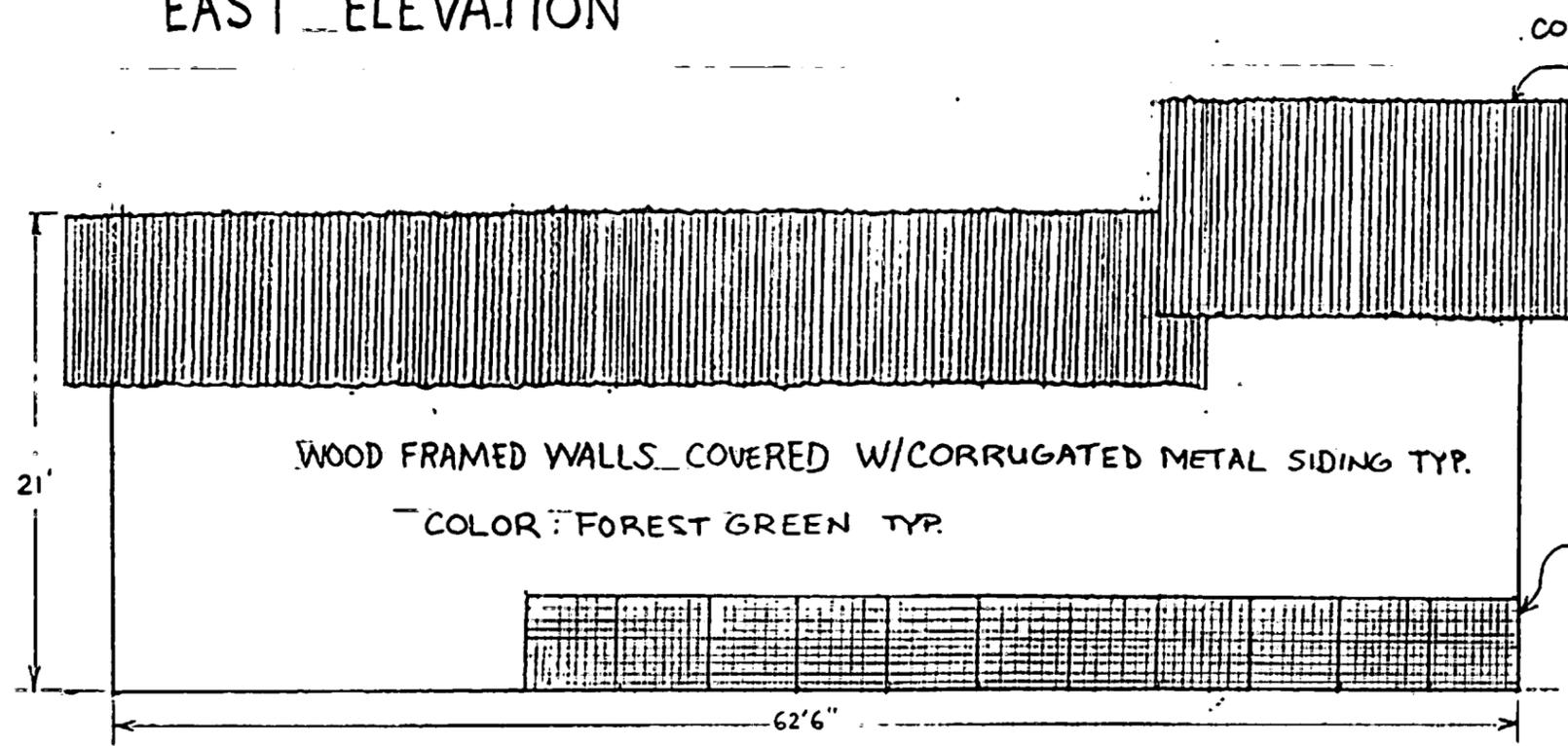
PERSPECTIVE of SITE



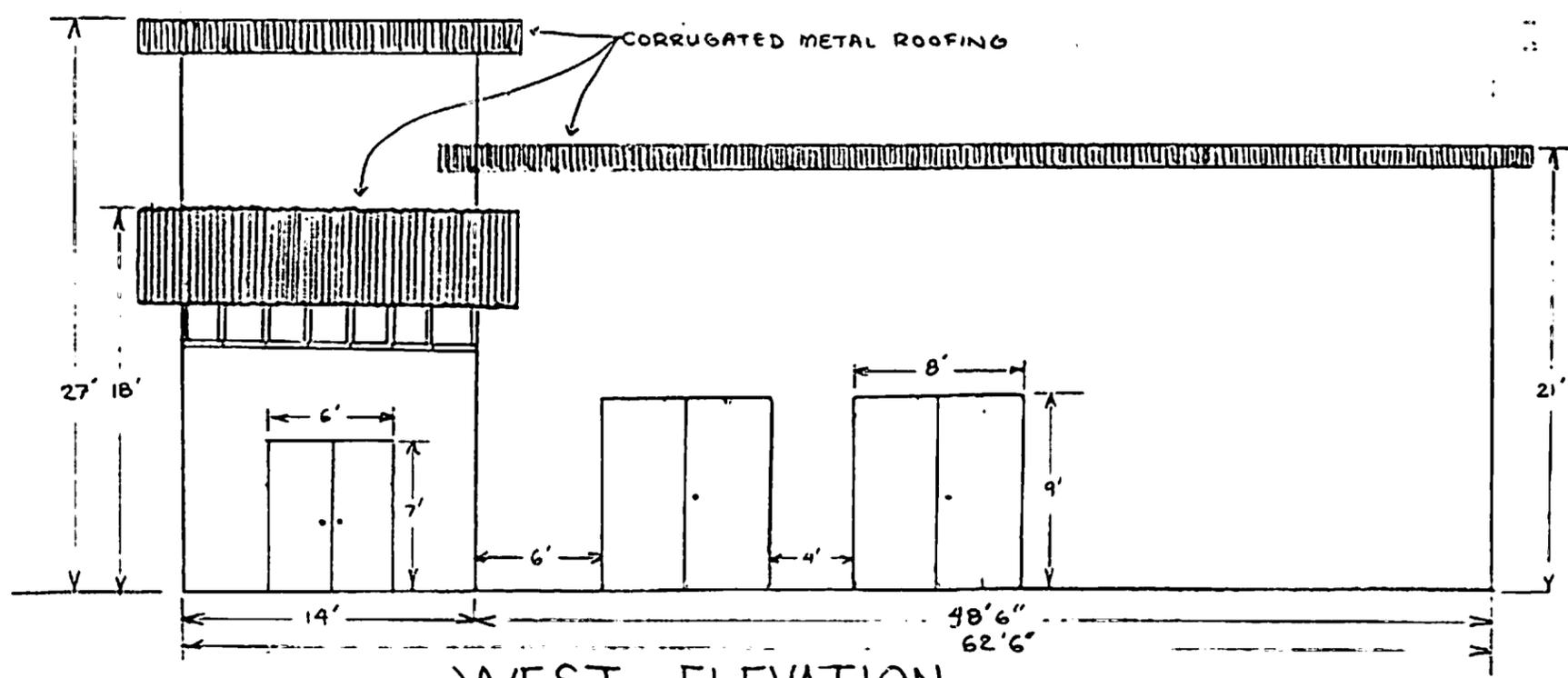
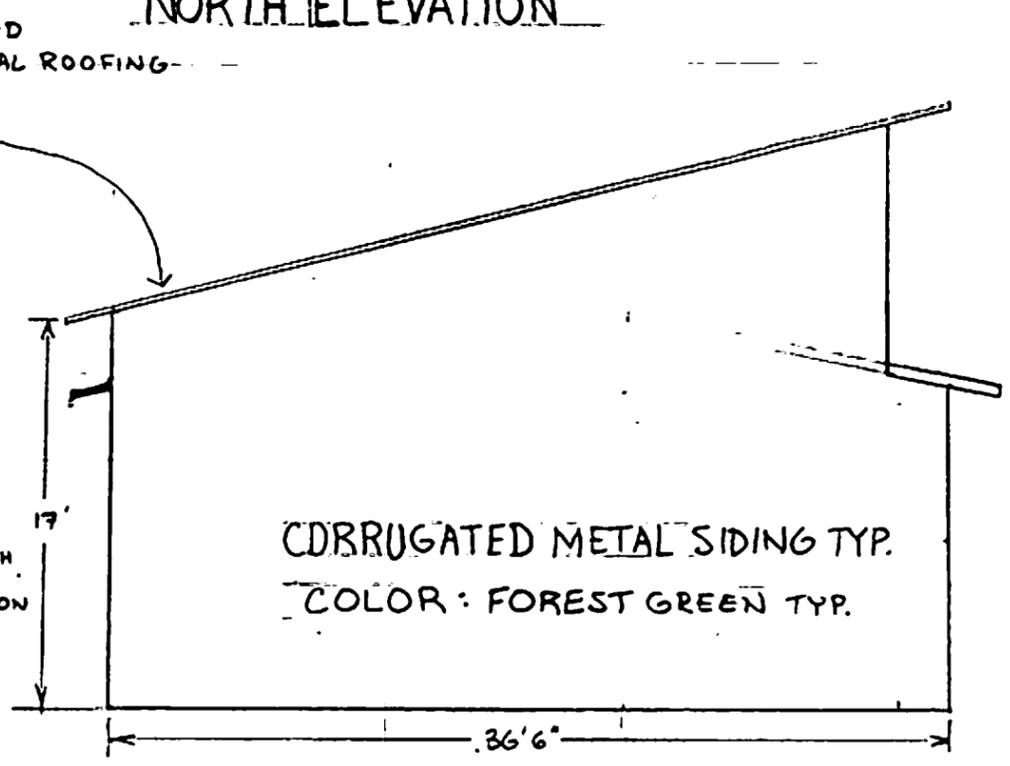
HOUSEKEEPING & PERSONNEL OFC.
 SCALE: 1/2" = 1'-0"
 DATE: 5-12-67
 HOTEL HANA MAUI

FLOWER PREP TABLE

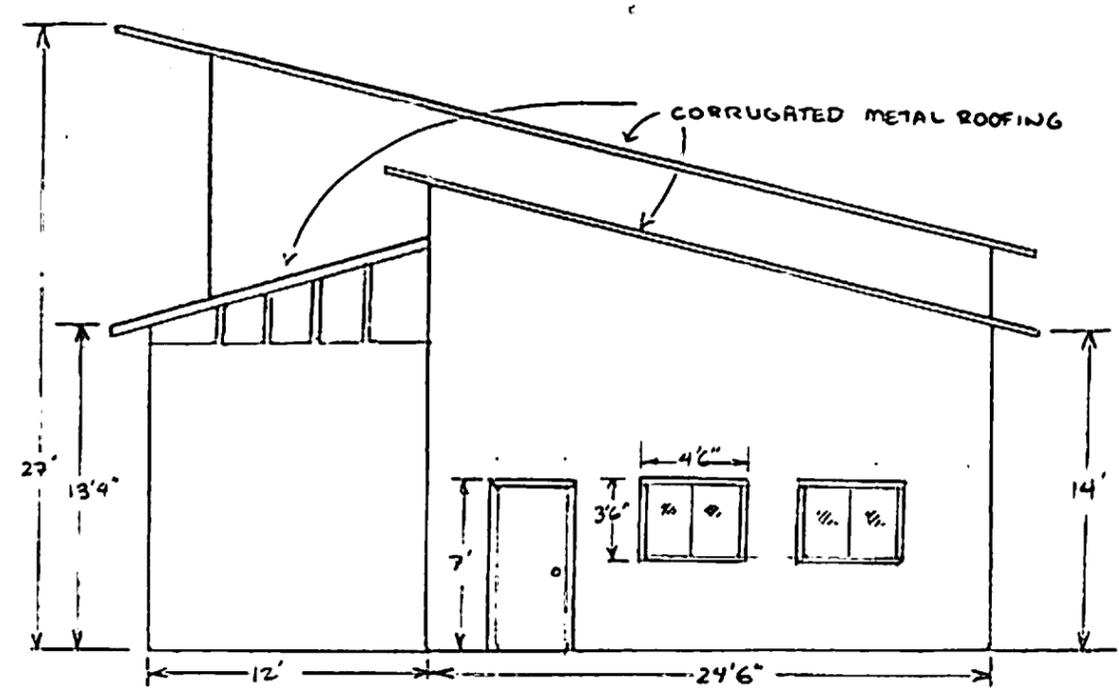
EAST ELEVATION



NORTH ELEVATION



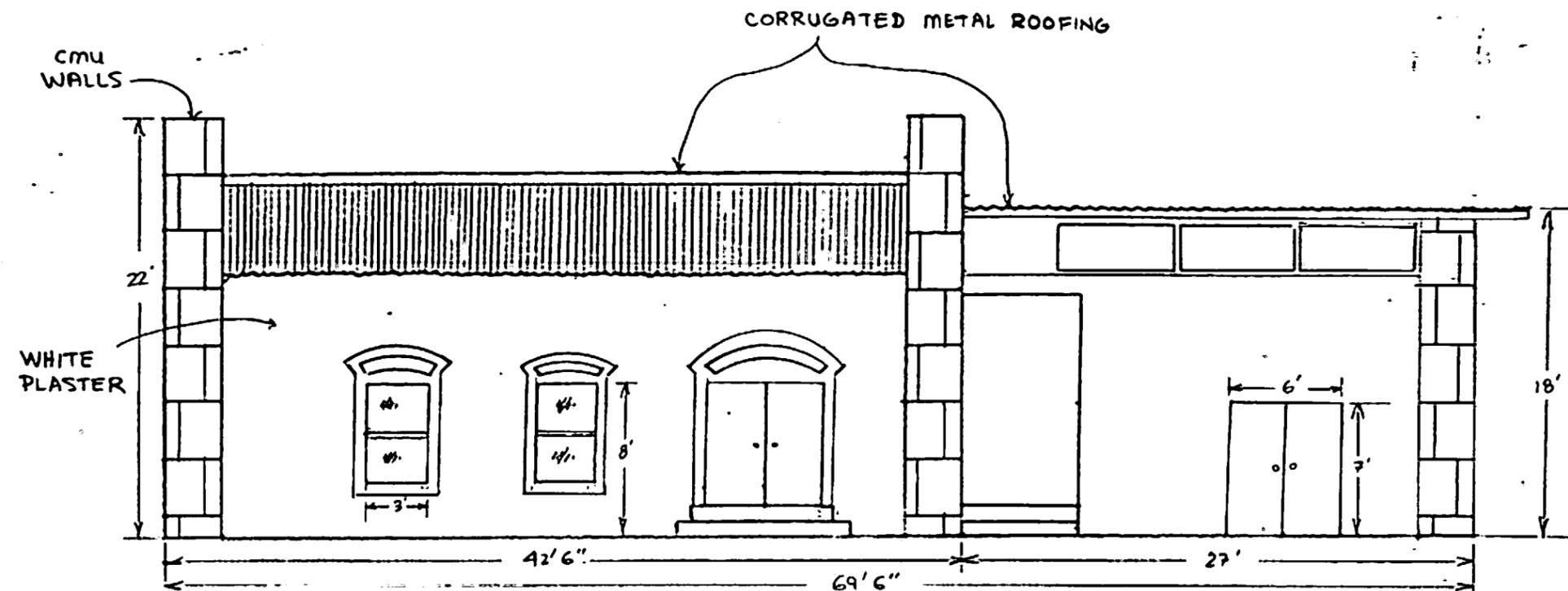
WEST ELEVATION



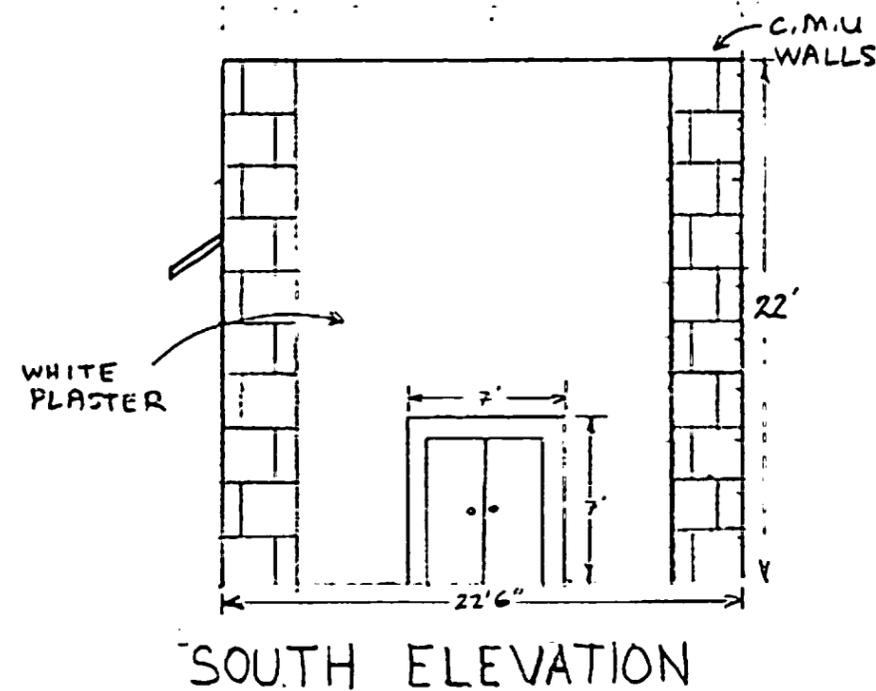
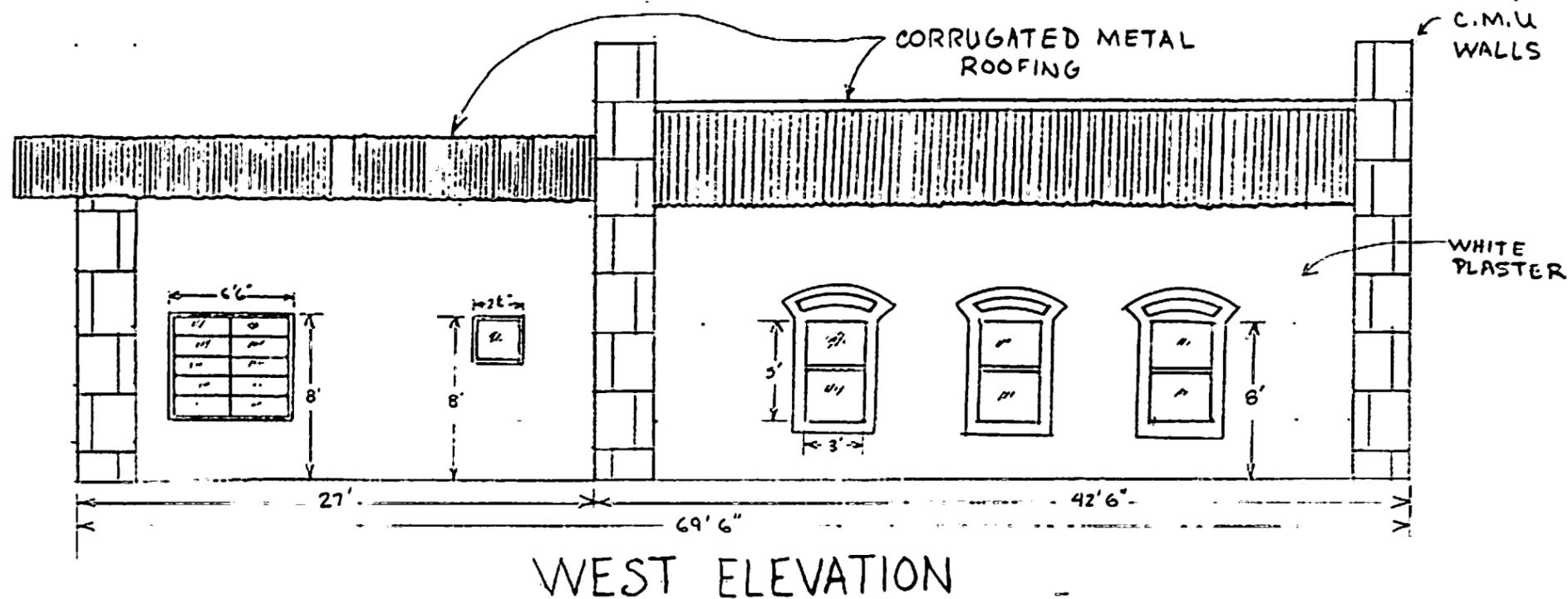
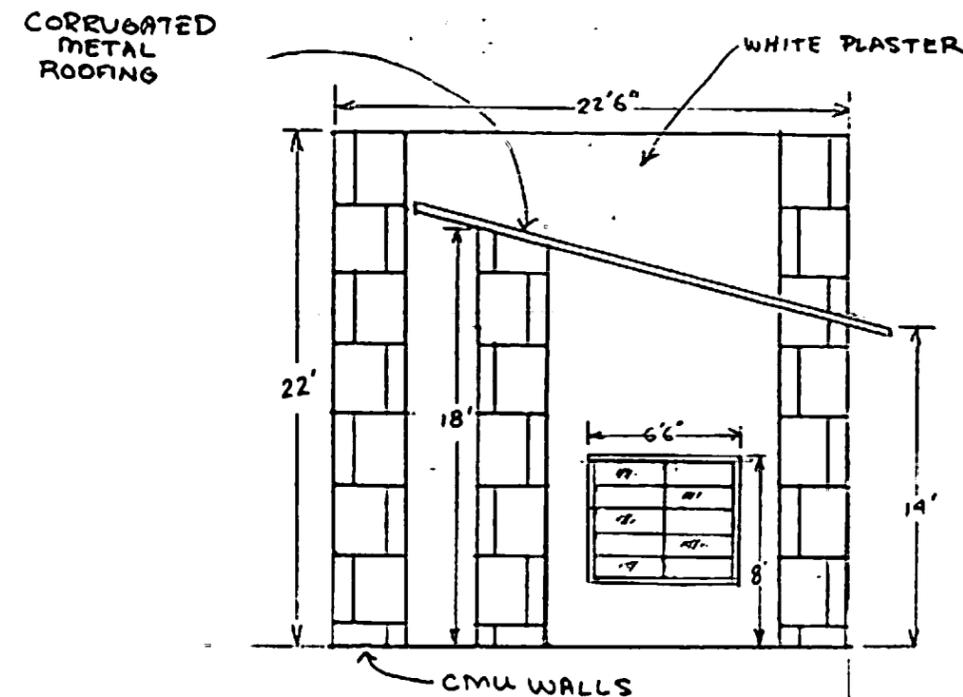
SOUTH ELEVATION

HOUSEKEEPING & PERSONNEL BLDG.
1-24-90 DRAWN BY B.C.
SCALE: 1/8" = 1'

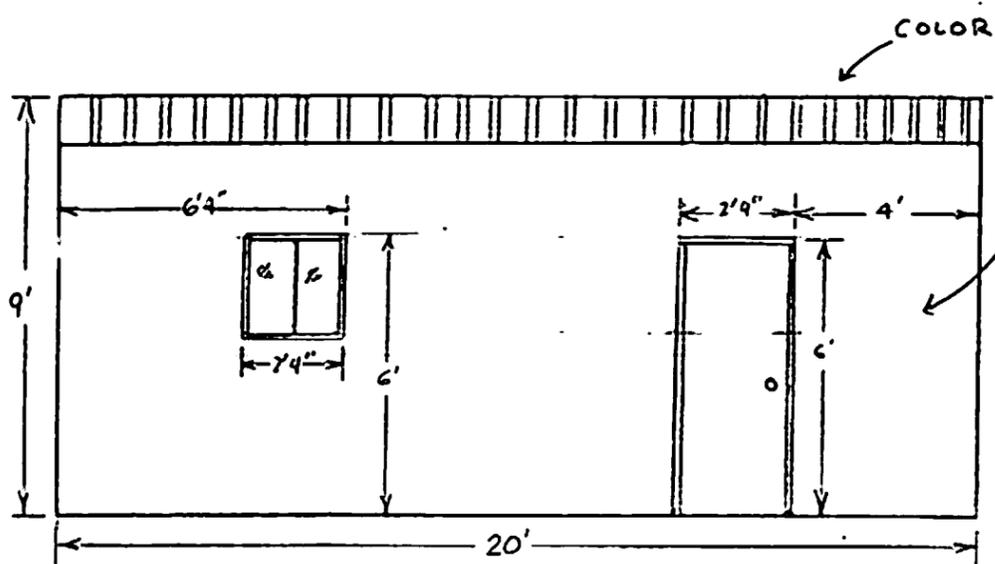
EAST ELEVATION



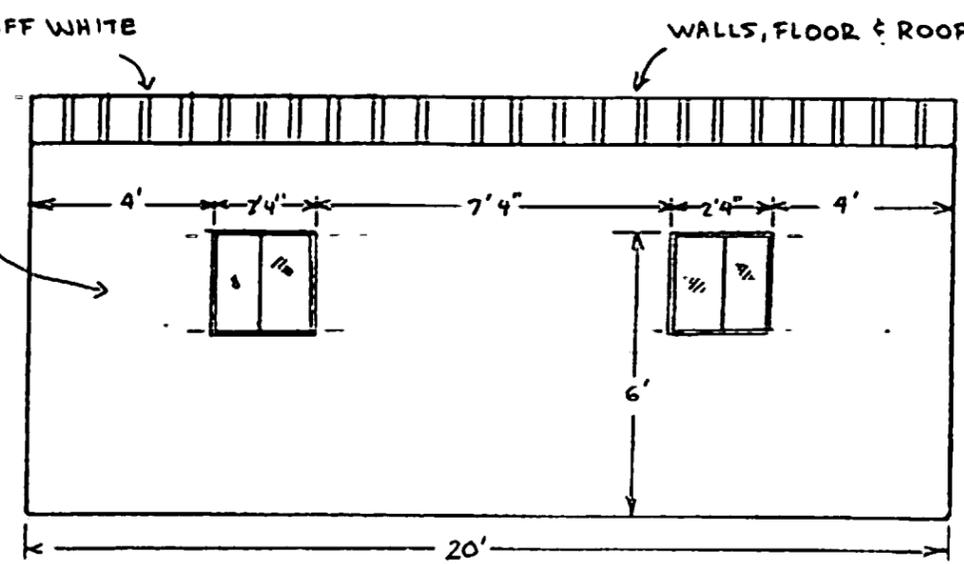
NORTH ELEVATION



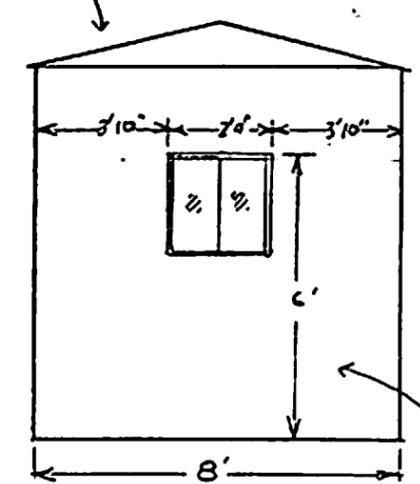
LAUNDRY BUILDING 1-24-90
 ELEVATION DRAWINGS
 SCALE: 1/8" = 1' DRAWN BY: B.C.



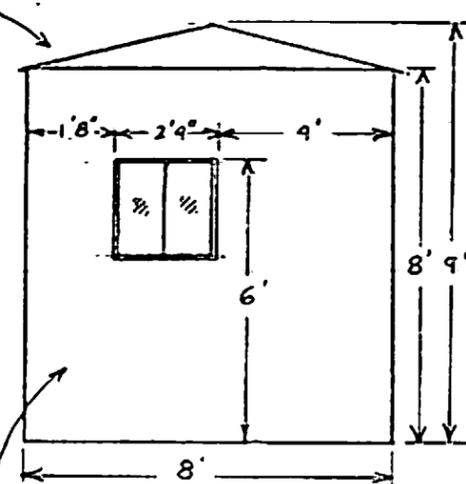
WEST ELEVATION



EAST ELEVATION



NORTH ELEVATION



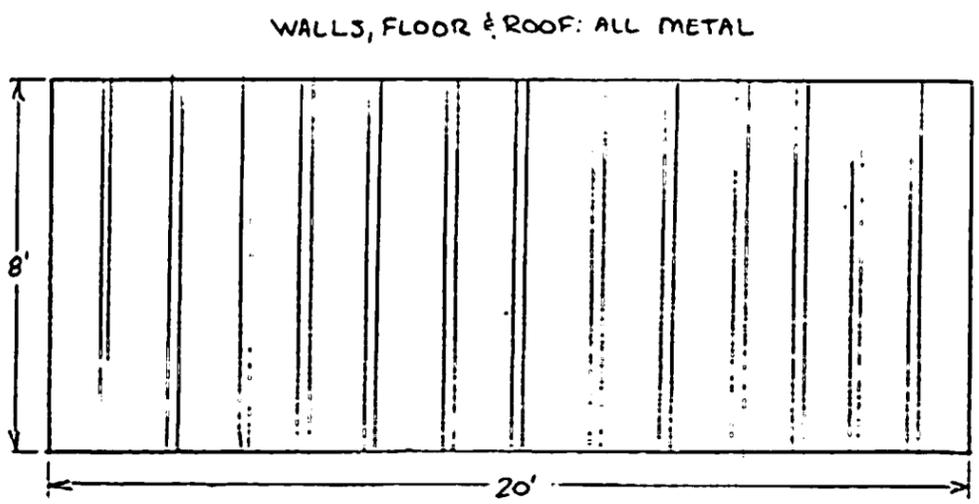
SOUTH ELEVATION

COLOR: OFF WHITE

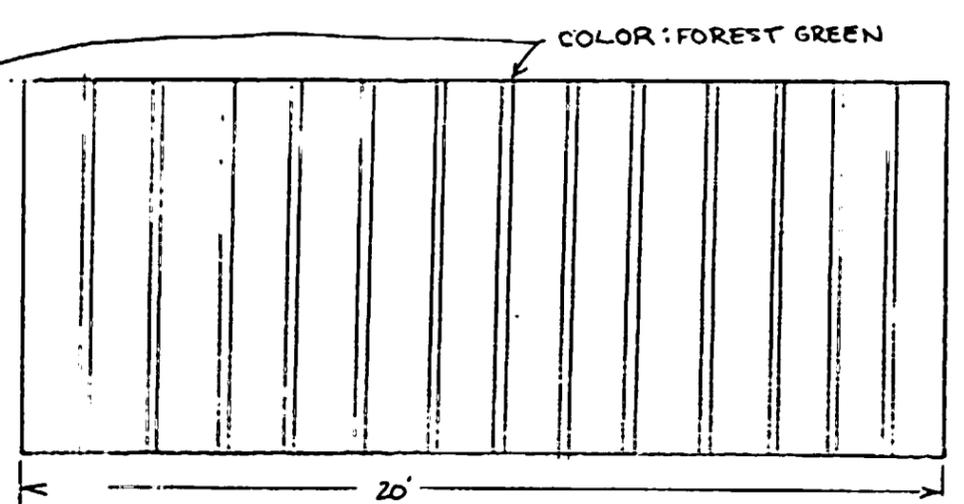
WALLS, FLOOR & ROOF: ALL METAL

COLOR: OFF WHITE

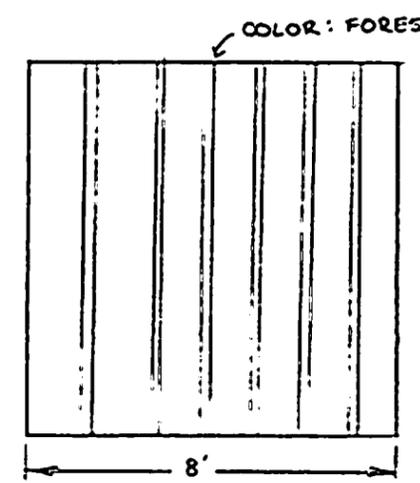
CONTAINER #2



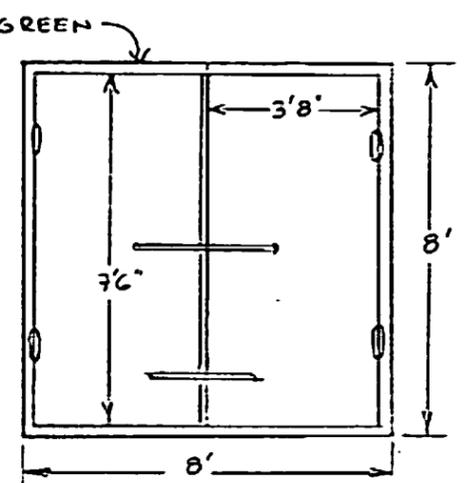
WEST ELEVATION



EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

WALLS, FLOOR & ROOF: ALL METAL

COLOR: FOREST GREEN

COLOR: FOREST GREEN

CONTAINER #1

STORAGE CONTAINERS 1-25-9:
ELEVATION DRAWINGS
SCALE: 1/4"=1' DRAWN BY: B.C.

COUNTY OF MAUI

LAND USE & CODES ADMINISTRATION DEPARTMENT OF PUBLIC WORKS Application for Building Permit

PERMIT NUMBER
DATE ISSUED

INITIAL

I claim an exemption under Sec. 444-2(7) of the HRS and hereby certify that this structure is for my personal use and not for use or occupancy by the general public. I further certify that such building or structure will not be offered for sale or lease within one year after completion.

Upon conviction, any violator shall be fined \$500 for the first offense, \$1,000 for the second offense, and not less than \$1,500 or more than \$2,000 for any subsequent offense.

I claim exemption from the provisions of Chapter 464 HRS, requiring certification and stamping of plans by a registered architect or structural engineer as permitted under Sec. 464-13 (b). I further certify that I will record this exemption with the Bureau of Conveyances as required by Sec. 464-14(c).

Approval is granted subject to compliance with the use regulations set forth in Chapter 205, HRS and the Land Use Commission's Rules & Regulations. The owner will provide notice of these use regulations to future owners, heirs and assigns. I acknowledge that I have received from the County of Maui a copy of Sec. 205-4.5 HRS.

X William R. Sides II 1-9-90
SIGNATURE OF OWNER DATE

I hereby certify that I am a bona fide contractor licensed in the State of Hawaii.

X _____ _____
SIGNATURE OF CONTRACTOR DATE

APPLICATION NO.	T	ZONE	SEC	PLAT	PAR	LOT
DATE RECEIVED	M	1	4	13	1	
	K					
	(S)					

FOR LAND USE & CODES ADMINISTRATION USE ONLY

A P P R O V A L S R E Q U I R E D	AGENCY	SIGNATURE	DATE
<input type="checkbox"/>	DEPT. OF WATER	_____	_____
<input type="checkbox"/>	DEPT. OF HEALTH	_____	_____
<input type="checkbox"/>	FIRE MARSHAL	_____	_____
<input type="checkbox"/>	ENGIN., LUCA	_____	_____
<input type="checkbox"/>	BUILDING. LUCA	_____	_____
<input type="checkbox"/>	PLANNING DEPT.	_____	_____

ISSUED BY _____ ACCEPT VAL. \$ _____
PERMIT FEE \$ _____

REMARKS:

Applicant certifies that he/she has determined if there are any restrictive covenants applicable to the proposed construction on subject property and, if so, that the structure herein applied for conforms with said covenants. Applicant acknowledges that County has no responsibility to determine conformance with covenants and hereby agrees to defend and hold County harmless from any and all claims arising out of any alleged breach thereof.

William R. Sides II 1-9-90
SIGNATURE OF OWNER DATE

PROJECT NAME _____

CONSTRUCTION TYPE _____

OCCUPANCY GROUP _____

OWNERSHIP _____ ZONE _____ FLOOD ZONE _____

APPLICANT: PLEASE FILL IN AREA BELOW (TYPED)

PROJECT ADDRESS (HOUSE NO. AND STREET) Corner of Keawa Pl. and Hana Highway	NATURE OF WORK (CHECK ALL THAT APPLY)		
PROJECT ADDRESS (TOWN AND DISTRICT) Hana, Hawaii 96713	<input type="checkbox"/> NEW BUILDING	<input type="checkbox"/> FENCE	<input type="checkbox"/> FOUNDATION ONLY
LEGAL OWNER (FULL NAME) KEOLA HANA MAUI INC.	<input type="checkbox"/> RETAINING WALL	<input type="checkbox"/> SHELL ONLY	<input type="checkbox"/> RELOCATION
MAILING ADDRESS (INCLUDE ZIP CODE) P.O. BOX 8 Hana, Hawaii 96713	<input type="checkbox"/> ADDITION	<input type="checkbox"/> ALTERATION	<input type="checkbox"/> RECONSTRUCTION
LESSEE/TENANT (1)	<input type="checkbox"/> MISC. STRUCTURE	<input checked="" type="checkbox"/> REPAIR	<input type="checkbox"/> DEMOLITION
MAILING ADDRESS (INCLUDE ZIP CODE)	<input type="checkbox"/> SITE WORK	<input type="checkbox"/> SEA WALL	<input type="checkbox"/> SWIMMING POOL
LESSEE/TENANT (2)	NOW OCCUPIED AS Laundry	TO BE OCCUPIED AS Laundry	
MAILING ADDRESS (INCLUDE ZIP CODE)	DIMENSIONS 69'6" x 22'6"	WALLS CMU	
LESSEE/TENANT (3)	PARTITIONS CMU/WOOD	FOUNDATION Concrete Slab	
MAILING ADDRESS (INCLUDE ZIP CODE)	FLOORS Concrete	ROOF Corrugated Metal	
LESSEE/TENANT (4)	CEILING N/A	BASEMENT FLOOR N/A	
MAILING ADDRESS (INCLUDE ZIP CODE)	<input type="checkbox"/> SEWER OR <input checked="" type="checkbox"/> CESSPOOL	ROOF OVERHANG 2'0"	ESTIMATED VALUE OF WORK \$24,075.00
PLAN MAKER WILLIAM R. SIDES II	NO. OF UNITS 1	NO. OF STORIES 1	FLOOR AREA 1,388 sq. ft.
MAILING ADDRESS (INCLUDE ZIP CODE) P.O. BOX 8 HANA, HAWAII 96713	LICENSE NO. 248-8633	NO. OF UNITS 1	LOT AREA 21,711sq.ft.
BUILDER	LICENSE NO.	DISTANCE TO NEAREST INTERIOR LOT BOUNDARY (FEET)	NEAREST BLOC.
MAILING ADDRESS (INCLUDE ZIP CODE)	TELEPHONE NO. 248-8601	RIGHT: LEFT: REAR: 40'± FRONT: 75'±	
APPLICANT NAME VICTOR M. SINENCI	TELEPHONE NO. 248-8601	REMARKS: Repair only, plus patch and repaint exterior. Addition of small loft area, 9' x 6' or 54 sq. ft. to house hot water heaters. Addition of 1 washer and sheet folder. Replacement of old rusted waste line. Upgrade electric. Upgrade of plumbing. Replacement of broken windows and doors.	
SIGNATURE OF APPLICANT <u>Victor M. Sinenci</u>	DATE 1-11-90		

COUNTY OF MAUI

LAND USE & CODES ADMINISTRATION DEPARTMENT OF PUBLIC WORKS Application for Building Permit

PERMIT NUMBER _____

DATE ISSUED _____

INITIAL

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Upon conviction, any violator shall be fined \$500 for the first offense, \$1,000 for the second offense, and not less than \$1,500 or more than \$2,000 for any subsequent offense.

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X William R Sides II 1-9-90
SIGNATURE OF OWNER DATE

I hereby certify that I am a bona fide contractor licensed in the State of Hawaii.

X _____ DATE
SIGNATURE OF CONTRACTOR DATE

APPLICATION NO.	T	ZONE	SEC	PLAT	PAR	LOT
DATE RECEIVED	M	1	4	13	1	
	K					
	(S)					

FOR LAND USE & CODES ADMINISTRATION USE ONLY

A P P R O V A L S R E Q U I R E D	AGENCY	SIGNATURE	DATE
<input type="checkbox"/>	DEPT. OF WATER	_____	_____
<input type="checkbox"/>	DEPT. OF HEALTH	_____	_____
<input type="checkbox"/>	FIRE MARSHAL	_____	_____
<input type="checkbox"/>	ENGIN., LUCA	_____	_____
<input type="checkbox"/>	BUILDING, LUCA	_____	_____
<input type="checkbox"/>	PLANNING DEPT.	_____	_____

ISSUED BY _____ ACCEPT VAL \$ _____
PERMIT FEE \$ _____

REMARKS:

Applicant certifies that he/she has determined if there are any restrictive covenants applicable to the proposed construction on subject property and, if so, that the structure herein applied for conforms with said covenants. Applicant acknowledges that County has no responsibility to determine conformance with covenants and hereby agrees to defend and hold County harmless from any and all claims arising out of any alleged breach thereof.

William R Sides II 1-9-90
SIGNATURE OF OWNER DATE

PROJECT NAME _____

CONSTRUCTION TYPE _____

OCCUPANCY GROUP _____

OWNERSHIP _____ ZONE _____ FLOOD ZONE _____

APPLICANT: PLEASE FILL IN AREA BELOW (TYPED)

PROJECT ADDRESS (HOUSE NO AND STREET) Corner of Keawa Pl. and Hana Highway	NATURE OF WORK (CHECK ALL THAT APPLY)		
PROJECT ADDRESS (TOWN AND DISTRICT) Hana, Maui, Hawaii 96713	<input type="checkbox"/> NEW BUILDING	<input type="checkbox"/> FENCE	<input type="checkbox"/> FOUNDATION ONLY
LEGAL OWNER (FULL NAME) KEOLA HANA MAUI INC.	<input type="checkbox"/> RETAINING WALL	<input type="checkbox"/> SHELL ONLY	<input checked="" type="checkbox"/> RELOCATION
MAILING ADDRESS (INCLUDE ZIP CODE) P.O. BOX 8 HANA, HAWAII 96713	<input type="checkbox"/> ADDITION	<input type="checkbox"/> ALTERATION	<input type="checkbox"/> RECONSTRUCTION
LESSEE/TENANT (1)	<input type="checkbox"/> MISC STRUCTURE	<input type="checkbox"/> REPAIR	<input type="checkbox"/> DEMOLITION
MAILING ADDRESS (INCLUDE ZIP CODE)	<input checked="" type="checkbox"/> SITE WORK	<input type="checkbox"/> SEA WALL	<input type="checkbox"/> SWIMMING POOL
LESSEE/TENANT (2)	NOW OCCUPIED AS Parking Lot and Open space	TO BE OCCUPIED AS Parking Lot + two Containers & Open space	
MAILING ADDRESS (INCLUDE ZIP CODE)	DIMENSIONS Two (2) Matson type containers, 10' x 28' each.	WALLS Metal	
LESSEE/TENANT (3)	PARTITIONS N/A	FOUNDATION N/A	
MAILING ADDRESS (INCLUDE ZIP CODE)	FLOORS Metal	ROOF Metal	
LESSEE/TENANT (4)	CEILING Metal	BASEMENT FLOOR N/A	
MAILING ADDRESS (INCLUDE ZIP CODE)	<input type="checkbox"/> SEWER OR CESSPOOL N/A	ROOF OVERHANG N/A	ESTIMATED VALUE OF WORK \$5,500.00
PLAN MAKER WILLIAM R. SIDES II	LICENSE NO.	NO. OF UNITS 2	NO. OF STORIES 1
MAILING ADDRESS (INCLUDE ZIP CODE) P.O. BOX 8 HANA, HAWAII 96713	TELEPHONE NO. 248-8633	FLOOR AREA each approx. 280sqft	LOT AREA 21,711sq.ft.
BUILDER	LICENSE NO.	DISTANCE TO NEAREST INTERIOR LOT BOUNDARY (FEET) RIGHT: _____ LEFT: _____ REAR: 12'± FRONT: 6'±	
MAILING ADDRESS (INCLUDE ZIP CODE)	TELEPHONE NO.	REMARKS: Scope of work includes: Relocation of, 2 matson type storage containers to the lot, addition of protective bumpers around existing propane storage tank, add restriping of existing asphalt parking lot. A small cinder pathway is proposed as an entry way to storage container.	
APPLICANT NAME VICTOR M. SINENCI	TELEPHONE NO. 248-8601		
DATE OF APPLICANT <u>[Signature]</u> 1-11-90	DATE		

COUNTY OF MAUI

LAND USE & CODES ADMINISTRATION DEPARTMENT OF PUBLIC WORKS Application for Building Permit

PERMIT NUMBER

DATE ISSUED

INITIAL

I claim an exemption under Sec. 444-2(7) of the HRS and hereby certify that this structure is for my personal use and not for use or occupancy by the general public. I further certify that such building or structure will not be offered for sale or lease within one year after completion.

Upon conviction, any violator shall be fined \$500 for the first offense, \$1,000 for the second offense, and not less than \$1,500 or more than \$2,000 for any subsequent offense.

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Approval is granted subject to compliance with the use regulations set forth in Chapter 205, HRS and the Land Use Commission's Rules & Regulations. The owner will provide notice of these use regulations to future owners, heirs and assigns. I acknowledge that I have received from the County of Maui a copy of Sec. 205-4.5 HRS.

X William R. Sides II 1-9-90
SIGNATURE OF OWNER DATE

I hereby certify that I am a bona fide contractor licensed in the State of Hawaii.

X _____ DATE
SIGNATURE OF CONTRACTOR

APPLICATION NO.	T	ZONE	SEC	PLAT	PAR	LOT
DATE RECEIVED	M	1	4	13	1	
	K					
	(S)					

FOR LAND USE & CODES ADMINISTRATION USE ONLY

A P P R O V A L S R E Q U I R E D	AGENCY	SIGNATURE	DATE
	<input type="checkbox"/> DEPT. OF WATER	_____	_____
	<input type="checkbox"/> DEPT. OF HEALTH	_____	_____
	<input type="checkbox"/> FIRE MARSHAL	_____	_____
	<input type="checkbox"/> ENGIN., LUCA	_____	_____
	<input type="checkbox"/> BUILDING, LUCA	_____	_____
	<input type="checkbox"/> PLANNING DEPT.	_____	_____

ISSUED BY _____ ACCEPT VAL. \$ _____
PERMIT FEE \$ _____

REMARKS:

Applicant certifies that he/she has determined if there are any restrictive covenants applicable to the proposed construction on subject property and, if so, that the structure herein applied for conforms with said covenants. Applicant acknowledges that County has no responsibility to determine conformance with covenants and hereby agrees to defend and hold County harmless from any and all claims arising out of any alleged breach thereof.

William R. Sides II 1-9-90
SIGNATURE OF OWNER DATE

PROJECT NAME _____

CONSTRUCTION TYPE _____

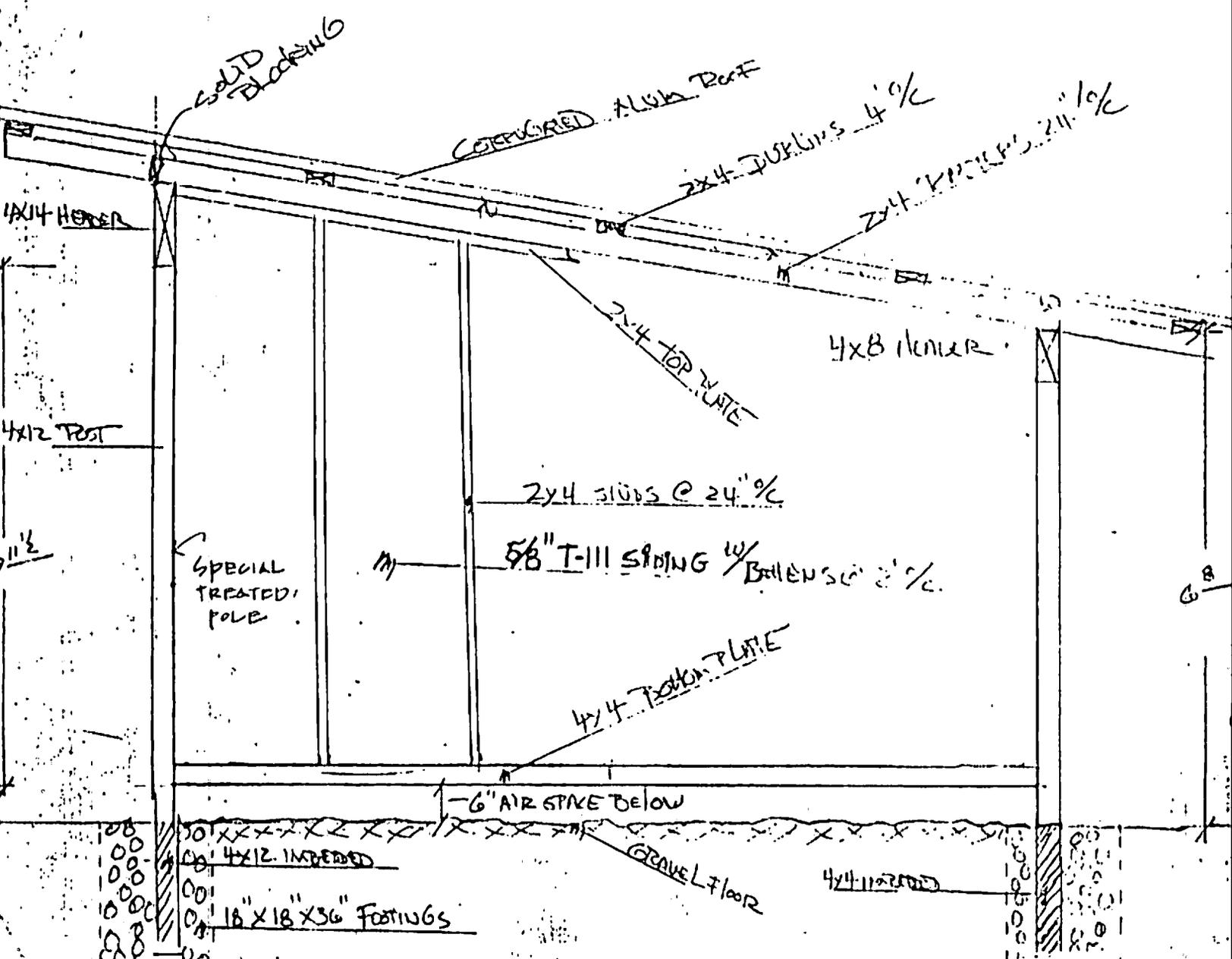
OCCUPANCY GROUP _____

OWNERSHIP	ZONE	FLOOD ZONE

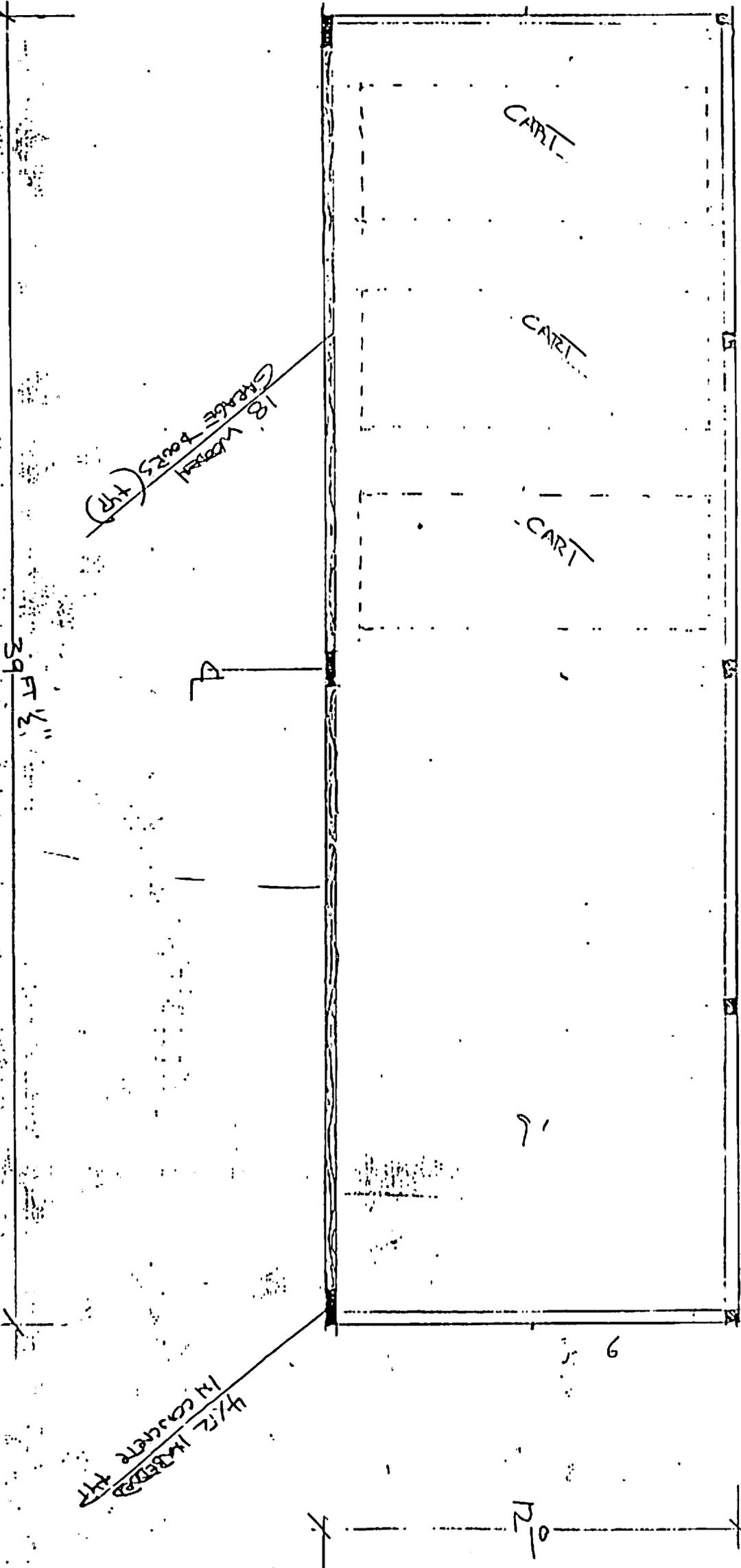
APPLICANT: PLEASE FILL IN AREA BELOW (TYPED)

PROJECT ADDRESS (HOUSE NO. AND STREET) Corner of Keawa Pl. and Hana Highway	NATURE OF WORK (CHECK ALL THAT APPLY)		
PROJECT ADDRESS (TOWN AND DISTRICT) Hana, Hawaii 96713	<input checked="" type="checkbox"/> NEW BUILDING	<input type="checkbox"/> FENCE	<input type="checkbox"/> FOUNDATION ONLY
LEGAL OWNER (FULL NAME) KEOLA HANA MAUI INC.	<input type="checkbox"/> RETAINING WALL	<input type="checkbox"/> SHELL ONLY	<input type="checkbox"/> RELOCATION
MAILING ADDRESS (INCLUDE ZIP CODE) P.O. BOX 8 Hana, Hawaii 96713	<input type="checkbox"/> ADDITION	<input type="checkbox"/> ALTERATION	<input checked="" type="checkbox"/> RECONSTRUCTION (Minimal)
LESSEE/TENANT (1)	<input type="checkbox"/> MISC STRUCTURE	<input type="checkbox"/> REPAIR	<input type="checkbox"/> DEMOLITION
MAILING ADDRESS (INCLUDE ZIP CODE)	<input type="checkbox"/> SITE WORK	<input type="checkbox"/> SEA WALL	<input type="checkbox"/> SWIMMING POOL
LESSEE/TENANT (2)	HOW OCCUPIED AS Laundry Lot	TO BE OCCUPIED AS Cart Garage	
MAILING ADDRESS (INCLUDE ZIP CODE)	DIMENSIONS 39'1/2" x 12'0"	WALLS 2 x4 wall w/T-111 siding	
LESSEE/TENANT (3)	PARTITIONS N/A	FOUNDATION Concrete 18"x18"x36" Footing	
MAILING ADDRESS (INCLUDE ZIP CODE)	FLOORS Gravel	ROOF Corrugated Aluminum	
LESSEE/TENANT (4)	CEILING N/A	BASEMENT FLOOR N/A	
MAILING ADDRESS (INCLUDE ZIP CODE)	<input type="checkbox"/> SEWER OR CESSPOOL N/A	ROOF OVERHANG 2'0"	ESTIMATED VALUE OF WORK \$9,840.00
PLAN MAKER WILLIAM R. SIDES II	NO. OF UNITS 1	NO. OF STORIES 1	FLOOR AREA 468 sq. ft.
MAILING ADDRESS (INCLUDE ZIP CODE) P.O. BOX 8 HANA, HAWAII 96713	LICENSE NO. 248-8633	LOT AREA 21,711 sq. ft.	
BUILDER	DISTANCE TO NEAREST INTERIOR LOT BOUNDARY (FEET)	NEAREST BLDG	
MAILING ADDRESS (INCLUDE ZIP CODE)	RIGHT LEFT: 45' ± REAR: FRONT: 3'		
APPLICANT NAME VICTOR M. SINENCI	REMARKS Demolition is of existing concrete slab only and removal of three existing small trees. Structure is to be used for storing of golf cart type carts that are used by the Engineering and Housekeeping Departments of the Hotel Hana Maui.		
TELEPHONE NO. 248-8601			
SIGNATURE OF APPLICANT <u>V.M. Sinenci</u>	DATE 1-11-90		

CARP GARAGE SECTION 2 SCALE



CART GARAGE



18' WOOD
GARAGE DOORS (TYP)

CART

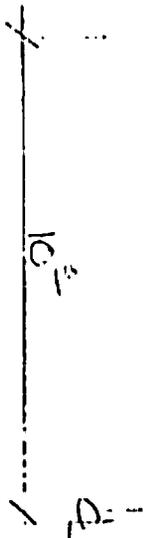
CART

CART

9'

6

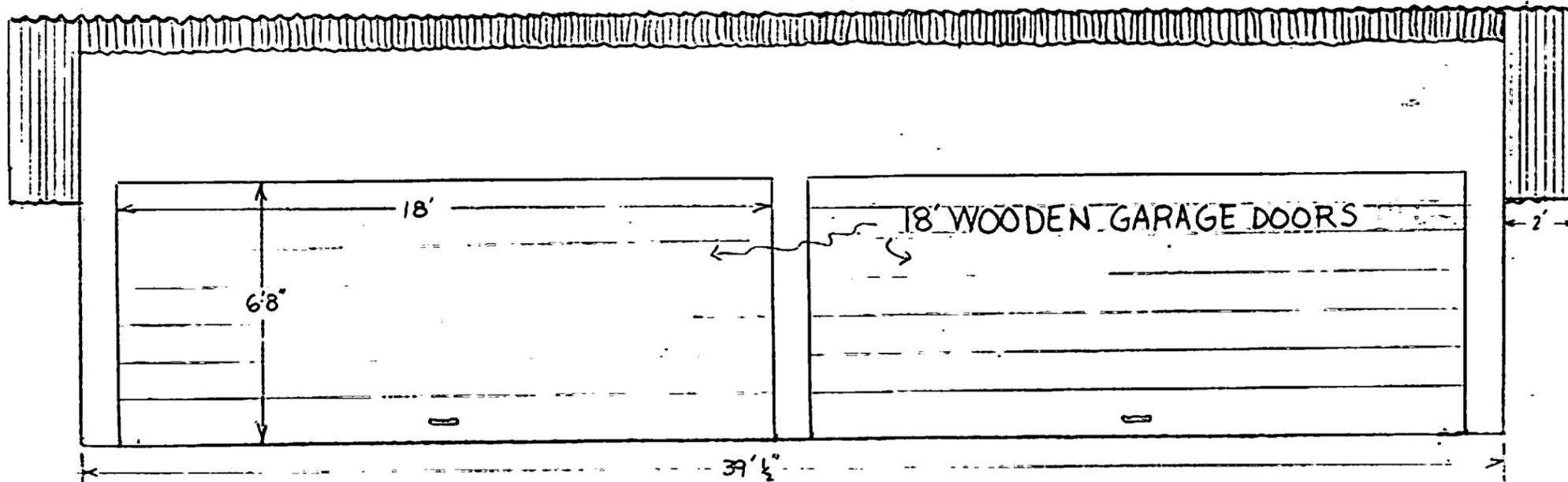
20'



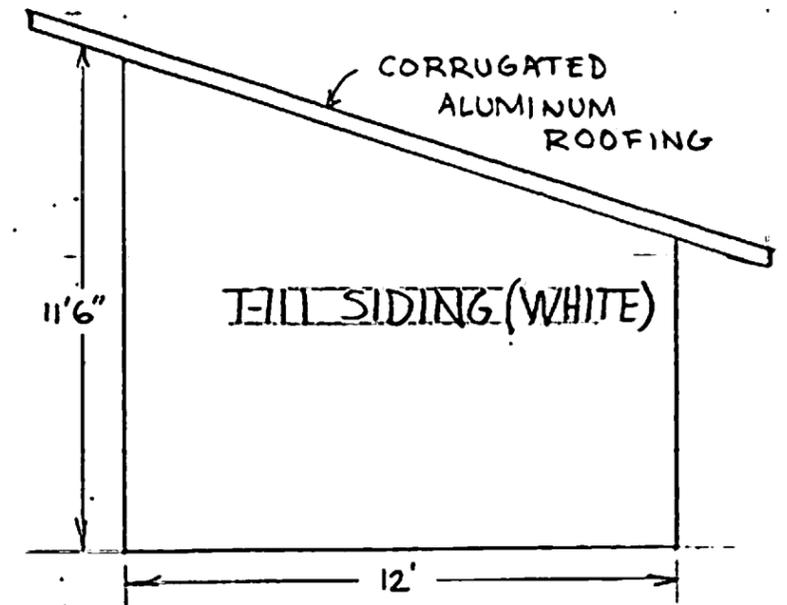
4-4 INSTEAD
IN CONCRETE TYP

4-2 WOOD
IN CONCRETE TYP

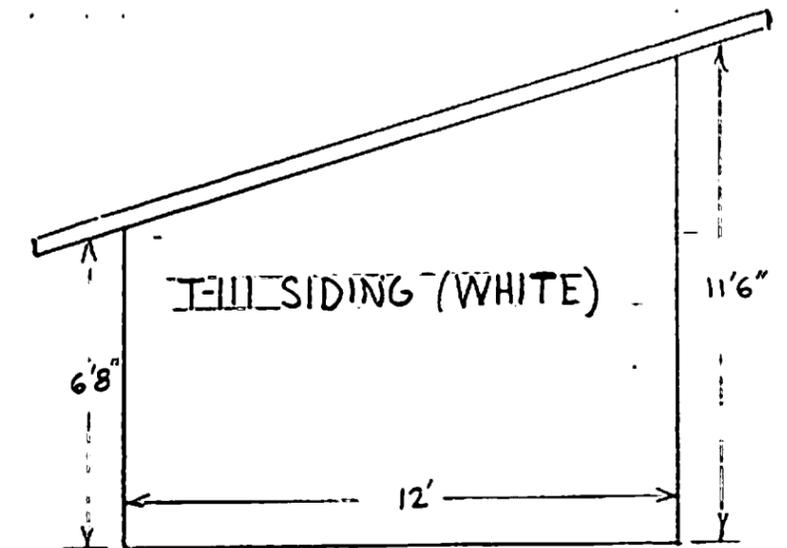
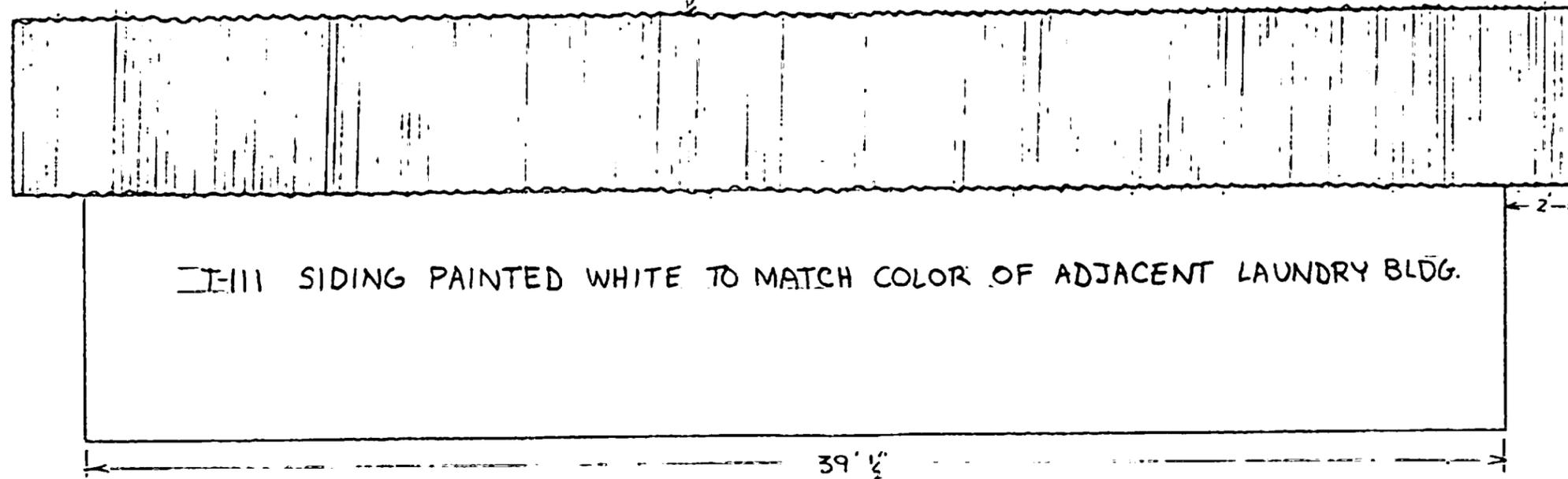
EAST ELEVATION



NORTH ELEVATION



CORRUGATED ALUMINUM ROOFING



WEST ELEVATION

SOUTH ELEVATION

CART GARAGE
 ELEVATION DRAWINGS 1-24-90
 SCALE 1/4" = 1' DRAWN BY B.C.

Appendix VI – 2022 SMA, EAE Review and Approval for improvements

MICHAEL P. VICTORINO
Mayor

MICHELE CHOUTEAU MCLEAN, AICP
Director

JORDAN E. HART
Deputy Director



DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

April 26, 2022

Mr. Hunton Conrad, Architect
1102 Mailuna Place
Makawao, Hawaii 96768

Dear Mr. Conrad:

SUBJECT: SPECIAL MANAGEMENT AREA (SMA) MINOR PERMIT FOR THE RENOVATION OF STORAGE BUILDING AND REMOVAL OF ASPHALT PARKING SURFACE TO BE REPLACED WITH GRAVEL AT KEAWA PLACE, HANA, ISLAND OF MAUI; TMK: (2) 1-4-013:001 (SMX 2021/0253) (SM2 2022/00007).

In response to your application in accordance with the SMA Rules for the Maui Planning Commission (Commission), Section 12-202-12, the Department of Planning (Department) has made a determination relative to the above project that:

1. Pursuant to Section 205A-22, the project is a development;
2. The project has a valuation not in excess of \$500,000.00; (Valuation: approximately \$75,000.00)
3. The proposed scope of work consists of the renovation of an existing storage building and removal and replacement of black-top parking area with gravel;
4. The project has no significant adverse environmental or ecological effect, taking into account potential cumulative effects, provided that Best Management Practices (BMPs) are used if necessary; and
5. The project is consistent with the objectives, policies, and SMA guidelines set forth in the Hawaii Revised Statutes (HRS), Chapter 205-A, and is consistent with the County General Plan and Zoning.

In consideration of the above determination, you are hereby granted an SMA Minor Permit (SM2 2022/00007), subject to the following conditions:

1. That construction is made according to representations in your SMA

Mr. Hunton Conrad
April 26, 2022
Page 2

Assessment Application, including construction plans by Hunton Conrad, Architect, dated May 24, 2021.

2. That proposed project shall be initiated by **March 30, 2024** and shall be completed within one year of said initiation.
3. That full compliance with all other applicable governmental requirements shall be rendered.

In summary, the Department approves SMA Minor Permit (SM2 2022/00007) for the work described in your SMA Assessment application (SMX 2021/0253). PLEASE NOTE THAT OTHER PERMITS OR APPROVALS MAY BE REQUIRED.

Thank you for your cooperation. If additional clarification is required, please contact Staff Planner Paul Fasi at paul.fasi@mauicounty.gov or at (808) 463-3867.

Sincerely,



ANN T. CUA
Acting Planning Program Administrator

for MICHELE MCLEAN, AICP
Planning Director

Copy to: Jacky Takakura, Acting Planning Program Administrator (PDF)
Paul F. Fasi, Staff Planner (PDF)
Hunton Conrad (Original and PDF)
Maui Hana Resort, Applicant (PDF)
Renee Segundo, Senior Land Use and Building Plans Examiner, ZAED, (PDF)
Project File

MCM:ATC:PFF:rma

K:\WP_DOCS\Planning\SM2\2022\00007_ManHanaResort\SM2.docx

MICHAEL P. VICTORINO
Mayor

MICHELE CHOUTEAU MCLEAN, AICP
Director

JORDAN E. HART
Deputy Director



DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

May 16, 2022

Mr. William Spence
P.O. Box 880267
Pukalani, Hawaii 96788

Dear Mr. Spence:

SUBJECT: ENVIRONMENTAL ASSESMENT REVIEW AND SMA EXEMPTION FOR THE REHABILITAITON OF THE HANA STORAGE BUILDING, KEAWA PLACE, HANA, ISLAND OF MAUI, HAWAII; TMK: (2) 1-4-013:001 (SMX 2021/0213) (SM5 2022-00001) (EAE 2022-00002) (RFC 2021/0012)

The Department of Planning (Department) has received your applications for a Special Management Area Exemption and an Environmental Assessment Exemption for the above listed project. In accordance with the *SMA Rules for the Maui Planning Commission*, Section 12-202-12, a determination has been made relative to the above project that:

1. The project is not a development, pursuant to Section 205-A-22 and may be issued an SMA Exemption. Exemption categories include "Repair, maintenance, or interior alterations to existing structures;"
2. The project has a valuation of approximately \$75,000.00;
3. The project has no significant adverse environmental or ecological effects, provided Best Management Practices (BMPs) are implemented; and
4. The project is consistent with the objectives, policies, and SMA guidelines set forth in the Hawaii Revised Statutes (HRS), Chapter 205-A, as amended, and is consistent with the County General Plan and Zoning.

In consideration of the above determination, your proposed project is approved for an SMA Exemption (SM5 2022/00001).

The Department has also received your application for an Environmental Assessment Exemption (EAE). The Department understands the scope of work to consist of rehabilitating a dilapidated laundry/storage building at the Mana Hana Resort in Hana. The improvements were reviewed by the Maui Cultural Resources Commission on February 3, 2022 whereby they adopted the Department's recommendations (see attachment). The applicant has agreed to abide by the Department's recommendations.

The proposed rehabilitation triggers compliance with environmental review because it is

Mr. William Spence
April 26, 2022
Page 2

listed as a historic structure (site No. 50-13-1628). However, the project qualifies for the following exemption:

“Replacement or reconstruction of existing structures and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height and dimensions as the structure replaced.”

In consideration of the above determination, your proposed project is approved for an Environmental Assessment Exemption (EAE 2022-00002).

If additional clarification is required, please contact staff planner Paul Fasi by email at paul.fasi@mauicounty.gov or by phone (808) 270-7814.

Sincerely,



ANN T. CUA
Planning Program Administrator

for MICHELE MCLEAN, AICP
Planning Director

Attachment:

xc: Renee Segundo, Zoning Senior Land Use And Building Plans Examiner
Annalise Kehler, Cultural Resources Planner (PDF)
Project File

MCM:AC:PFF:rma

K:\WP_DOCS\Planning\SMX\2021\0213_ManiHana\EAE 2022.doc

Enclosures omitted in this appendix, they are the same as in the cultural section, Appendix IV

Appendix VII – Public Outreach

WILLIAM SPENCE & ASSOCIATES
LAND USE PLANNING AND CONSULTING

July 22, 2021

Dear Neighbor,

My name is William Spence, I am a planning consultant working with Mani Brothers, the new owners of the Hana Maui Resort. You are getting this letter because your property is within 500 feet of the old hotel laundry building, we want to keep you informed, but also ask for your input as neighbors.

One of the things they want to do is restore the laundry building, clean up the property and use it for the Hana Coast Gallery. I'm sure everyone is familiar that it was once one Hana's original general stores and was eventually used for the hotel laundry till about 2010. Since then it has sat empty. What you might not know is the property is listed on the Hawaii Register of Historic Places. The nomination form estimates it existed from at least 1876, so it is one of the oldest buildings in town, something that should be preserved and be accessible to the public.

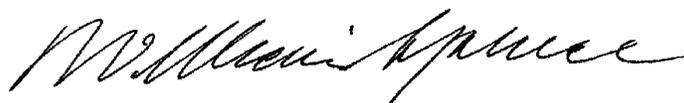
To use the property again for businesses like the gallery (retail) or anything else, the zoning has to be changed. Your community plan designates it for business use, but the current zoning doesn't allow it. The zoning is "Urban Reserve," a district that doesn't permit businesses or much of anything else. To follow your plan it should be zoned "Business Country Town" or "BCT." This is the same zoning as Hasegawa Store or Hana Town Center.

When zoning a property we have to think what could go there years into the future. In addition to a gallery, the BCT zoning normally allows a lot of different businesses, but we don't think all of them are appropriate for this site. When Mani Brothers applies to the county for zoning, we will request "conditional zoning" where some of the regular BCT uses will be allowed, others will not.

Enclosed is a list of uses normally allowed by BCT, but we grouped them into things that should be permitted (a few that would be ok with additional regulation), and those that should not be allowed at all. We would appreciate if you looked it over and let us know what you think.

We are still pretty early in this process and zoning doesn't happen overnight. Please feel free to contact me with feedback at 808-280-2724, or email at mauiwill@gmail.com. I'm happy to set up a zoom meeting if people wish, or I could come to Hana to talk.

Sincerely,



William Spence

Hana Store Building, Draft Proposed Permitted Uses for Rezoning. July 22, 2021

Below is a summarized list of permitted and accessory uses in the Business Country Town Zoning. Everything is shown, but it was sorted into uses that we believe should be fine for the Hana Store building, and into those that should not be allowed. A few of the normally permitted uses may be ok if modified for more regulation. Those proposed modifications are *italicized*.

Permitted:

- Amusement and recreational activities *if compatible with historic character of the site as determined by the Planning Director*
- Art and music studios
- Eating and drinking establishments *which are locally owned and operated, no corporate chains or franchises are allowed unless reviewed and approved by the Hana Advisory Committee and the Maui Planning Commission*
- General merchandising (retail, including the gallery)
- General office
- Libraries
- Museums
- Parking lots *if associated with another permitted use on the property or as allowed by off-site parking permit*
- Personal and business service
- Warehouse facilities associated with a permitted use within the district.
- Other similar businesses or commercial enterprises or activities that are not detrimental to the welfare of the surrounding area *provided the use is approved by the Hana Advisory Committee and the Maui Planning Commission.*

The following would not be permitted:

- Animal hospitals, including boarding
- Auditoriums, theaters, gymnasiums including fitness centers, private clubs, and dance halls
- Automobile services (gas stations)
- Bed and breakfast homes, in lawfully existing single-family dwellings
- Buildings and premises used, owned, or operated by government agencies, including community centers
- Combinations of dwelling units with other permitted uses in the same building
- Communication equipment and antennae
- Day care facilities
- Educational institutions
- Education, specialized
- Farmer's markets
- Hardware, feed, and garden stores
- Home occupations
- Multifamily dwellings, duplexes, and bungalow courts
- Pet shops

- Recycling collection center
- Redemption center
- Religious, benevolent, or philanthropic societies, civic organizations, and quasi-public uses
- Short-term rental homes, in lawfully existing single-family dwellings
- Swap meet or open air market
- Taxicab, car rental, and U-drive stations and offices

ACCESSORY USES

Permitted

1. Energy Systems Small Scale except on the historic building
2. Garages, porte-cochere, mailboxes, and trash enclosures
3. Other uses that are determined by the director of planning to be clearly incidental and customary to a permitted use

Not Permitted:

- Food and agricultural product manufacturing and processing
- Light manufacturing such as leather crafting, sewing or candle making

If you wish to view the full code without summary or sorting, it can be read at:

https://library.municode.com/hi/county_of_mauui/codes/code_of_ordinances On the left side of this site, look for Title 19, then Article II. Scroll down to Chapter 19.15 for Business Country Town, scroll a bit more for the list of permitted uses. Definitions for the terms below can be found at 19.04, General Provisions and Definitions

Hana Store Rehabilitation and Change of Zoning

Hana Town Hall
October 6, 2021

On behalf of Hana Maui Resort and
Mani Brothers

by Will Spence
William Spence & Associates

Why present?

- Inform the community what is going on
 1. Rehabilitate the building – it is deteriorating
 2. Change the zoning – community input
- Answer questions and get your feedback

Location



United States Department of the Interior
National Park Service

**National Register of Historic Places
Registration Form**

This form is for use in nominating or requesting determinations of eligibility for individual properties or districts. See instructions in *Guidelines for Completing National Register Forms* (National Register Bulletin 16). Complete each item by marking "x" in the appropriate box or by entering the requested information. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, styles, materials, and areas of significance, enter only the categories and subcategories listed in the instructions. For additional space use continuation sheets (Form 10-900a). Type all entries.

1. Name of Property

historic name Hana Store
other names/site number _____

2. Location

street & number Hana Highway not for publication
city, town Hana vicinity
state Hawaii code HI county Maui code 009 zip code 96713

3. Classification

Ownership of Property	Category of Property	Number of Resources within Property	
<input checked="" type="checkbox"/> private	<input checked="" type="checkbox"/> building(s)	Contributing	Noncontributing
<input type="checkbox"/> public-local	<input type="checkbox"/> district	<u>1</u>	_____ buildings
<input type="checkbox"/> public-State	<input type="checkbox"/> site	_____	_____ sites
<input type="checkbox"/> public-Federal	<input type="checkbox"/> structure	_____	_____ structures
	<input type="checkbox"/> object	<u>1</u>	_____ objects
			<u>0</u> Total
Name of related multiple property listing: <u>N/A</u>		Number of contributing resources previously listed in the National Register <u>0</u>	

4. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act of 1966, as amended, I hereby certify that this nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property meets does not meet the National Register criteria. See continuation sheet.

Signature of certifying official Date _____

State or Federal agency and bureau

In my opinion, the property meets does not meet the National Register criteria. See continuation sheet.

Signature of commenting or other official Date _____

State or Federal agency and bureau

5. National Park Service Certification

I, hereby, certify that this property is:

entered in the National Register. _____
 See continuation sheet.

determined eligible for the National Register. See continuation sheet. _____

determined not eligible for the National Register. _____

removed from the National Register. _____

other, (explain): _____

Signature of the Keeper Date of Action _____

State Register of Historic Places

State Register of Historic Places

8. Statement of Significance

Certifying official has considered the significance of this property in relation to other properties:

nationally statewide locally

Applicable National Register Criteria A B C D

Criteria Considerations (Exceptions) A B C D E F G

Areas of Significance (enter categories from instructions)

Commerce

Community Development

Period of Significance

c 1876-1940

Significant Dates

c. 1876

Cultural Affiliation N/A

Significant Person N/A

Architect/Builder unknown

State significance of property, and justify criteria, criteria considerations, and areas and periods of significance noted above.

➤ 1. Rehabilitate - From Hana Highway



From Keawa Place



Back of the Building



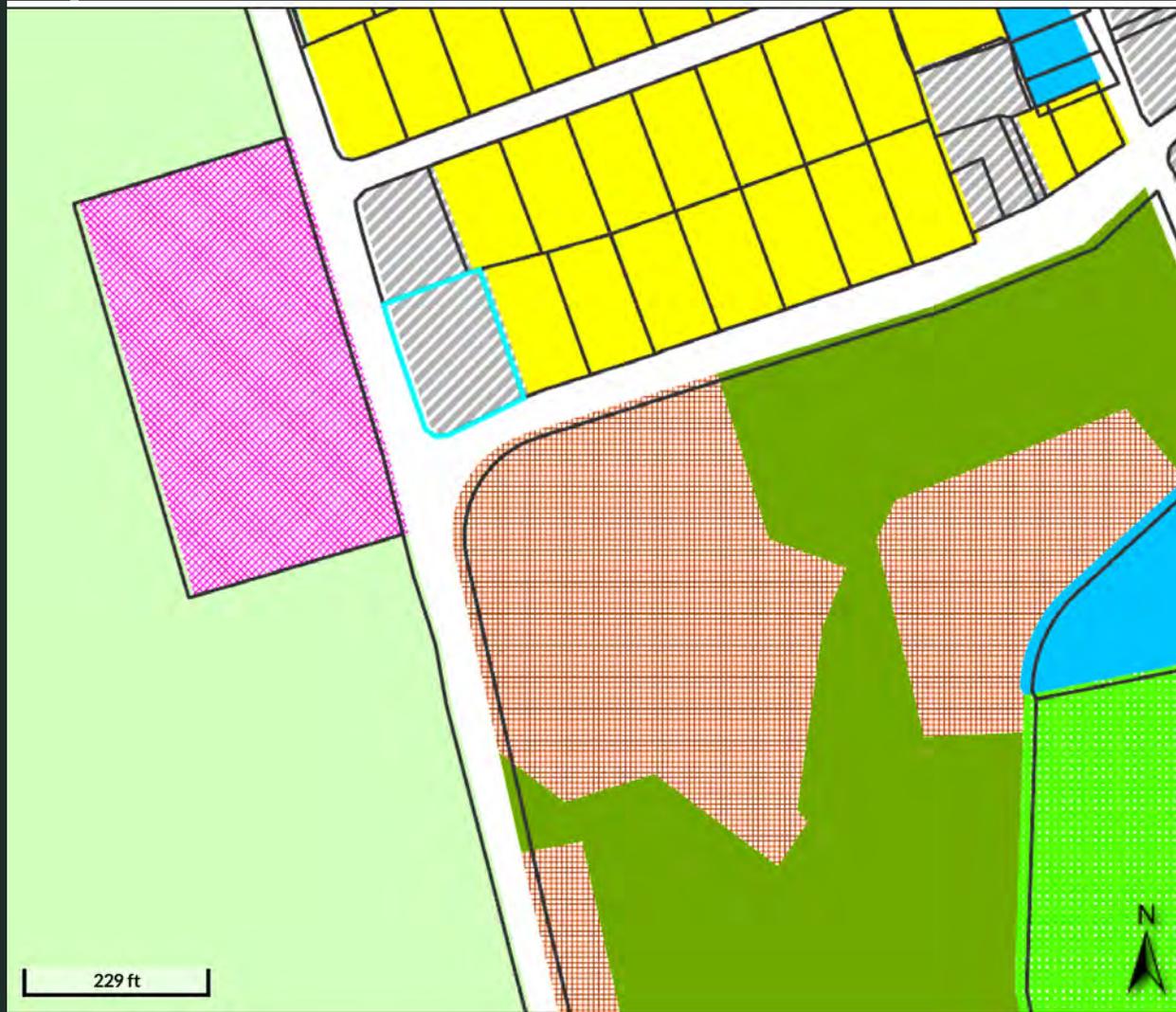
As rehabilitated – Hana Highway



As rehabilitated – Keawa Place



2. Why change the zoning?



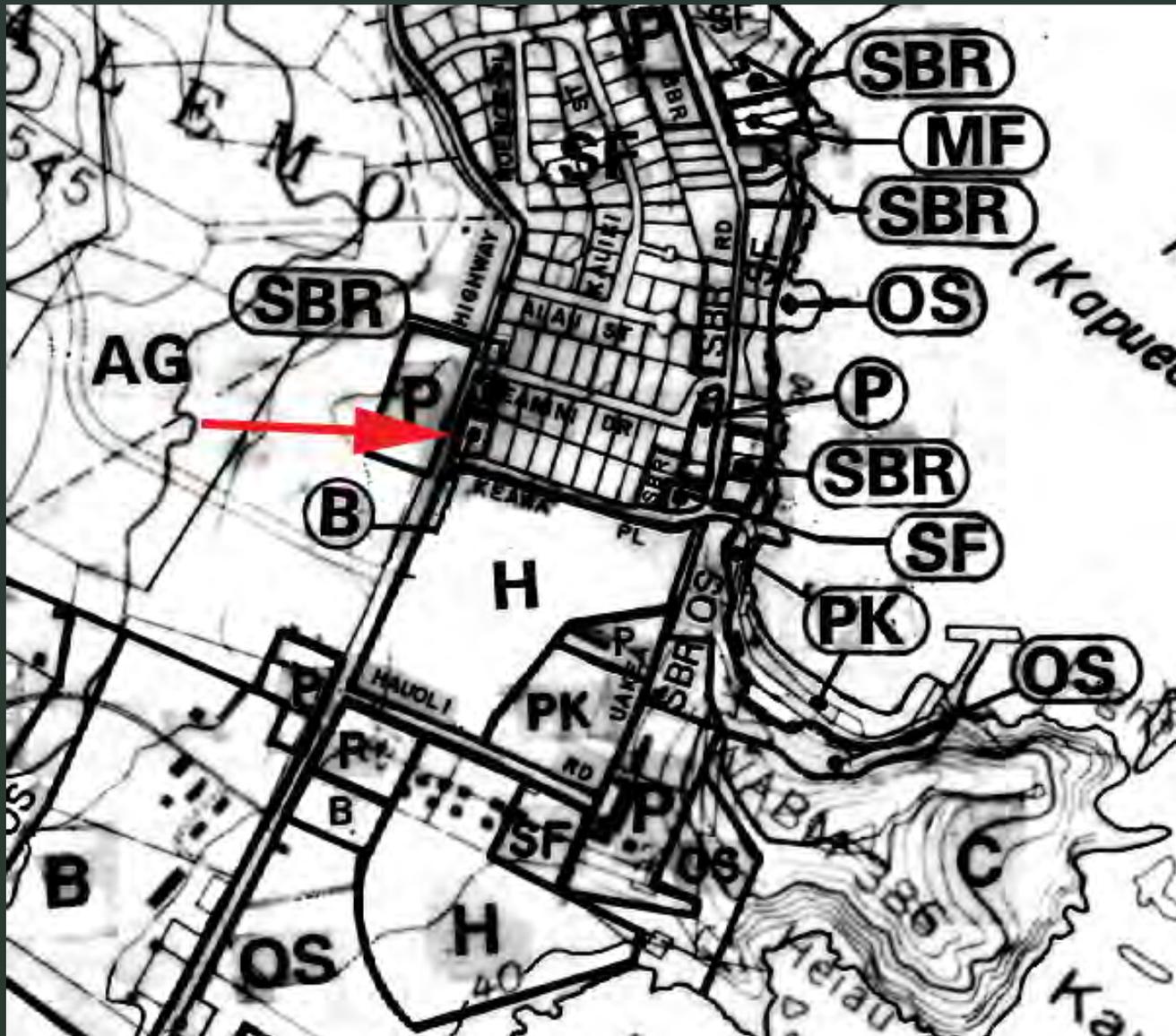
- The property cannot be used at all with the current zoning
- “Urban Reserve,” only allows a house, ohana, garage, farming, utilities
- “Reserve” means the zoning will change, but in accordance with community plan:

“Accommodating a reserve of lands in the state urban district for future development which is consistent with the community plan designation”

How did we get to Urban Reserve?

- Store was established about 1876 – a commercial use, long before zoning
- Also used as a laundry, another commercial use
- 1958, the Board of Supervisors adopted “Interim Zoning,” Ordinance 267
- Approx. 1996, County started a project to replace Interim, adopted Ord 2597 in 1997
- County and Council were uncomfortable with zoning all properties to the community plan designations, they wanted additional community input, so some were zone Urban Reserve
- That is why we are here – to get community input

What is consistent with the community plan?



Community Plan says it should be used for business

“This includes retail stores, offices, entertainment enterprises and related accessory uses.”

Business Country Town (BCT)

19.15.010 - Purpose and intent

Examples of the country town concept are ... Makawao-Pukalani-Kula, Paia-Haiku, Hana, Lanai City, and Molokai.

It is the same as the Town Center and Hasegawa General Store

BUT the code allows 32 different types of uses, some should not be on this property, maybe nowhere in Hana

So we will be asking the County Council for “Conditional Zoning.”

List of Uses

What should NOT be allowed:

- Vacation rentals or B&Bs
- Dwelling units of any kind
- Automobile services (gas stations)
- Government offices
- Day care, schools
- Pet shops, animal hospitals
- Hardware stores
- Recycling centers
- Religious, benevolent, or philanthropic societies, public/quasi public
- Swap meets

What should be allowed?

(All in the context of keeping the historic building)

- Retail/general merchandising
- General Offices
- Libraries and museums
- Personal business (medical, dental, bank, hair-dressers, etc.)
- Warehouse facilities (for the use on the property and for hotel)
- Parking for the permitted use or for hotel



Allowed with conditions

- Amusement and recreational activities - *IF* determined to be compatible with historic building as determined by Planning Director (ex, dancing, music, theater, karaoke)
- Eating and drinking establishments – *IF* locally owned and operated, no corporate chains or franchises unless reviewed and approved by the Hana Advisory Committee and Maui Planning Commission
- Other similar businesses - *IF* approved by the Hana Advisory Committee and the Maui Planning Commission

Zoning Process

- Public input (where we are now)
- Draft an application
- Submit to Planning Department
- Review by Hana Advisory Committee
- Review by Maui Planning Commission
- Maui County Council

▶ Mahalo

Questions?

- Will Spence
- 808-280-2724
- mauiwill@gmail.com

From: [Hana Arts](#)
To: mauiwill@gmail.com
Subject: Old Laundry - Arts Center
Date: Friday, October 8, 2021 5:52:24 PM

Aloha Will,

My name is Becky Lind and I am the Executive Director of Hana Arts, an arts/culture nonprofit organization located at Hana School. We would love to discuss the possible use of the laundromat as an Arts Center where we could house creative programs such as painting, sculpture, printmaking, weaving, lei making, pottery, and much more. Currently, we partner with Hana School and organize all arts and culture programs on campus including Theater, Dance, Music and Visual Arts. We have a ceramics studio on campus, as well as a mural program and are well connected to the artist community in Hana and on island. With an agreement with the property owner, we could turn the space into a place of learning, expression, and economic development. Please let me know when we could discuss this further. Thank you.

Mahalo,
Becky Lind
Hana Arts
www.hanaarts.com
(808)248-7569

From: [Karen Davidson](#)
To: mauiwill@gmail.com
Subject: Hana old laundry building
Date: Friday, October 8, 2021 8:13:45 AM

Good morning Will-i'm sorry I missed the "blue jeans" meeting the other day but I heard you're thinking about what to do with the old laundry building in Hana. I've lived here for over 33 years and always thought of that old building as some thing special-it will take tons of work and \$\$\$ Some of ideas people have had over the years - how about a café - what about a real estate office - a mahjong parlor and now there is a groundswell for an art center. Of course I'd be in favor of that as I was the founder of Hana arts over 30 years ago. Anything that might enrich and elevate the quality of life is most welcomed. If I could help with any sort of planning or ideas please don't hesitate to reach out to me!

Aloha from Karen

From: [Hana Farmers Market](#)
To: mauiwill@gmail.com
Cc: [Benson, Jon \(OGGAL\)](#); [Aina, Marni \(OGGAL\)](#); [Scott @ Hana Farmers Market](#)
Subject: Historic Laundry Building Renovation
Date: Tuesday, October 12, 2021 5:58:30 PM

Aloha Will,

Thank you for your presentation Wednesday on the rehabilitation of the old hotel laundry building. What a cool space!

I am requesting an opportunity to explore and conceptualize this space with the hotel management and yourself. I manage the Hana Farmers and Artists Market, which takes place on hotel property. The market has successfully connected our East Maui agricultural and artist community, with both its residents and visitors, while increasing the local food market and overall wellness of our East Maui community. Throughout the past 20 months of operation, we've seen tremendous growth in our community's interest in "shopping local," and its ability to support the self-sustenance and sustainability of our region. We are looking for more ways to continue supporting our local vendors, loyal shoppers and visitors of Hana for what we hope to be generations to come!

I think the renovated space would be a fabulous venue for an upscale, locally focused, natural foods grocer. It could also provide a place for local arts, local music and Hawaiian culture to flourish. This would be a for-profit operation.

Thank you for your time and consideration of this exciting potential project.

Mahalo nui loa,

Kari Hagedorn
808-495-5324

From: [Rebecca Buckley](#)
To: mauiwill@gmail.com
Subject: Old laundry building in Hana town
Date: Monday, October 11, 2021 10:05:52 AM

Dear Mr. Spence,

I am so excited to hear of your plans to rezone and rehabilitate the old laundry building in Hana town.

I am a 35 year resident of Hana. I operate a tropical flower farm on the airport road. I am a supporter of the arts in Hana and I think that the old laundry building would be the perfect place for an art center. We have so many talented and creative people in this community and the location of the laundry building is a perfect location for showcasing the art works of our residents and for providing a place for our children to explore all forms of artistic creation.

Sincerely,

Rebecca Buckley-Battaglia
135 Alalele Place
Hana, HI 96713
808-264-6351

From: [William Spence](#)
To: [Karen Davidson](#)
Subject: Re: Hana old laundry building
Date: Friday, October 8, 2021 3:42:54 PM

Aloha Karen!

Thank you for the email, I really appreciate it. Yes, that building is really great, it could work for a whole lot of different things. We do have some limitations with a new septic system yet to be put in, and maybe some water and parking limitations. No decisions have been made yet but I know I certainly appreciate the community's ideas. I'm very happy to stay in touch as things move forward or you have input for me.

Will

On Fri, Oct 8, 2021, 8:13 AM Karen Davidson <davidson@maui.net> wrote:

Good morning Will-i'm sorry I missed the "blue jeans" meeting the other day but I heard you're thinking about what to do with the old laundry building in Hana. I've lived here for over 33 years and always thought of that old building as some thing special-it will take tons of work and \$\$\$ Some of ideas people have had over the years - how about a café - what about a real estate office - a mahjong parlor and now there is a groundswell for an art center. Of course I'd be in favor of that as I was the founder of Hana arts over 30 years ago. Anything that might enrich and elevate the quality of life is most welcomed. If I could help with any sort of planning or ideas please don't hesitate to reach out to me!
Aloha from Karen

From: [Carolyn Quan](#)
To: mauiwill@gmail.com
Cc: [MauiOpenStudios](#)
Subject: Hello Will! It's Carolyn Quan, Producer of the Maui Open Studios Event
Date: Tuesday, October 12, 2021 4:52:31 PM

Dear Will,

I hope this email finds you well!

I received an email from Michael Kristiansen, one of our Maui Open Studio artists, in regards to the possible conversion of the historic Laundry building of the Hana Maui Resort into the Hana Art Center. He asked me if I would be able to offer my support of the project which is why I am writing to you.

As the Producer of the Annual Maui Open Studios Event for the past 11 years, I enthusiastically support the development of the building into an art center for the Hana art community and the art loving visitors to East Maui.

For the Maui Open Studios Event, we are beginning to bring back more participation of East Maui artists, as it had waned over the past few years. The development of a venue where art lovers can visit with the East Maui artists not only during the Maui Open Studio event, but throughout the year, would be a huge benefit to both the art community and collectors and art lovers who visit Hana and the surrounding areas. It will also inspire more artists to participate in events that will give them exposure to the public.

We continue to be grateful for your support of the Maui Open Studios and helping us get on our feet back in our humble beginnings 11 years ago! And we hope that our support of this Hana project can help to make it happen for art lovers and the abundance of talent that exists on Maui.

Venues and physical space for celebrating the arts is critical in keeping the inspiration alive for those who both live and visit the beautiful Hawaiian Islands.

Thank you Will! I appreciate your involvement and support of the arts and hope that all is well for you! Because of you Maui Open Studios has positively affected the lives of hundreds of Maui artists and thousands of visitor who have come out to our our event over the past 11 years.

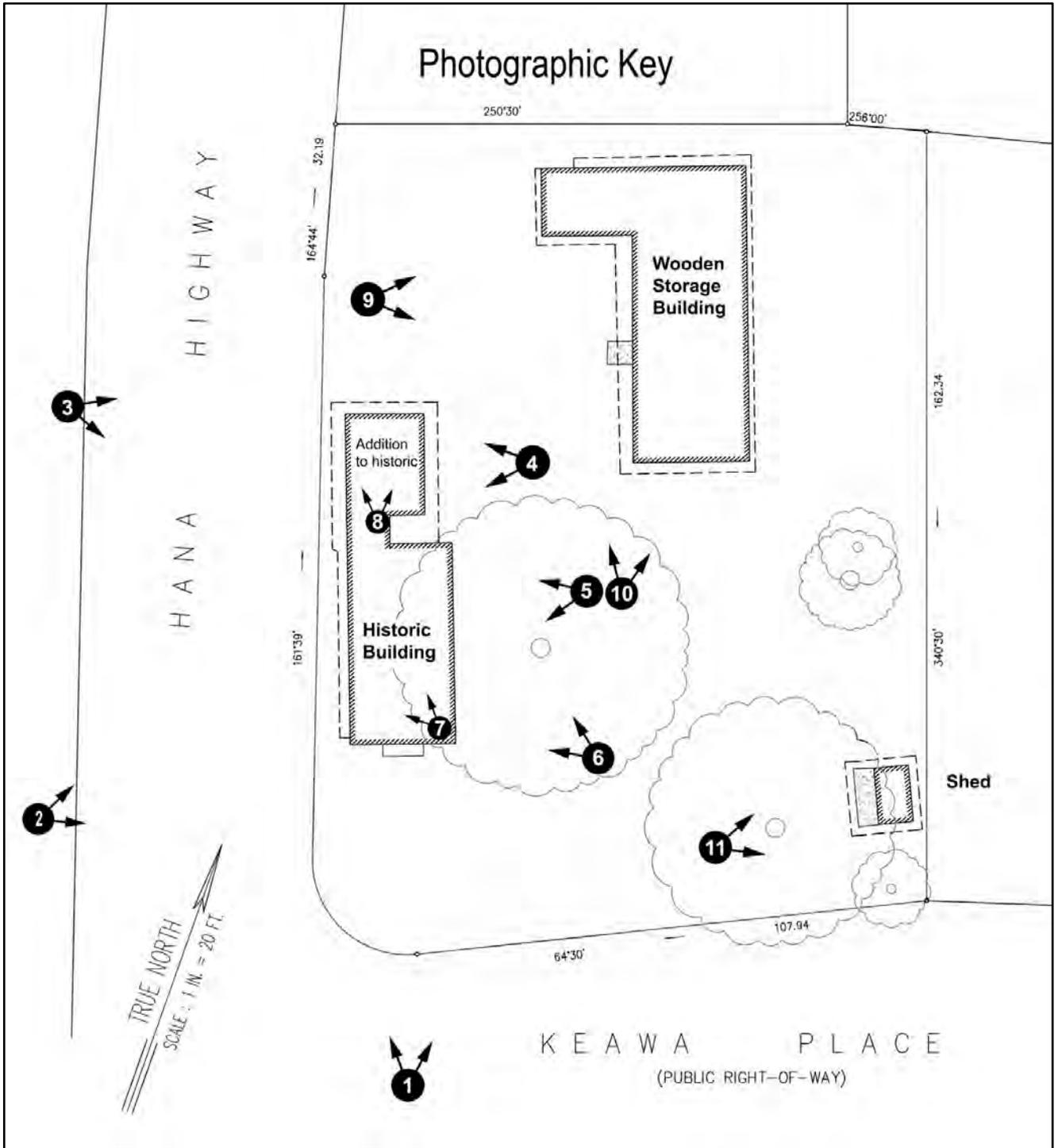
Sincerely,

- Carolyn Quan

Carolyn Quan
Founder/Producer - Maui Open Studios
Dream World Media
MauiOpenStudios@gmail.com
<http://MauiOpenStudios.com>
(415) 450-1307

Appendix VIII - Photographs

Photographic Key



TRUE NORTH
SCALE : 1 IN. = 20 FT.

KEAWA PLACE
(PUBLIC RIGHT-OF-WAY)



Photo 1, Property from Keawa Place and Hana Highway, looking North



Photo 2, Front of historic storage building from Hana Highway looking Northwest



Photo 3, Side of historic storage building and later addition from Hana Highway looking East



Photo 4, Addition to historic storage building from on the property looking West



Photo 5, Historic storage building from on the property looking West



Photo 6, Historic building from on the property looking West



Photo 7, Interior of historic storage building.



Photo 8, Interior of addition



Photo 9, Wooden storage building, from on the property looking East



Photo 10, Wooden storage building from



Photo 11, Old storage shed looking East