

2. **MR. TERRY MCFARLAND, AIA, of ARCHITECTS HAWAII, requesting a Special Management Area Use Permit for renovations to the Kaanapali Shores project to include the expansion and redesign of the existing lobby, replacement and relocation of the porte cochere, construction of a new 35-stall grassed parking area, redesign of the mauka parking/arrival area, and other related improvements at 3445 Honoapiilani Highway, TMK: 4-4-001: 097 and 103, Honokowai, Island of Maui. (SM1 2000/0009) (J. Higa)**

Ms. Julie Higa presented a video of the project site and the Maui Planning Department's Report.

Mr. Edlao: Commissioners any questions for Julie? Commissioner Lu.

Ms. Lu: Yes, so is there enough parking or not?

Ms. Higa: Yes, they're providing additional parking. So with the new parking that they're providing in the grassed parking area, they are providing parking for all their improvements and the additional improvements. They would have to provide for it.

Ms. Lu: Is it just enough or is there more than enough?

Ms. Higa: There would be just enough I think. It's a 35-stall parking lot.

Mr. Edlao: Any other questions Commissioners? Commissioner Piltz.

Mr. Piltz: Are they realigning some of the parking that's existing now in the existing parking lot?

Ms. Higa: I believe they are restriping, doing some restriping.

Mr. Piltz: Will that give them more or less or what's happening?

Ms. Higa: Maybe we can have the applicant make the presentation on that.

Mr. Edlao: Okay, no other questions for Julie? If not, the applicant or its representative would like to come up and add anything else? Go over your plan?

Mr. Robert Cole: Good morning. My name is Robert Cole. I work for Chris Hart and Partners and we're working with the applicant, Architects Hawaii, for the Aston

Kaanapali Shores renovation project. I would like to thank the Commission, members of the Planning Department and Public Works for allowing us to present this application. Thank you Julie for providing a lot of information about the project. I'd like just to add a couple of things and provide some clarification where it was asked for.

This is a small remodeling project which has actually been cut back midway through the SMA process. Essentially the project is looking to remodel the lobby at the front facing Lower Honoapiilani Road and redesign their porte cochere and entry area which is just in front of the lobby. In the process they're displacing after they've restriped, they're displacing about 30 stalls. In addition, they're required to add four additional stalls and that was decided by Public Works in their letter.

The original plans for the project included a new exit along Kaanapali Shores Place which is a side road and narrowing the entry into the project into one lane. That was taken out due to some budget concerns and the ownership of Aston Kaanapali Shores Place is rather complicated and it was, at that time, it was put on hold until the applicant could reassess the situation and come in with greater development plans for the entry and the exit.

So currently the project is limited to these two areas. Original plans also called for removal of two tennis courts to replace the parking that was displaced during the entry renovation and to add the additional spaces that are needed. Since then the applicant has come up with an idea to create a grass parking lot along the north wing of the hotel in an area, the area along the north side of the hotel.

The hotel was originally built as individual condo units and therefore was assessed a higher parking requirement than a traditional hotel. The hotel currently operates more as transient vacation rental with 97% of the units in the rental pool. Therefore, it has a surplus of parking. The parking that was misplaced or not misplaced, displaced – that will be displaced during the renovation was not so much needed but needed to be put in in order to meet the requirements for county parking according to Section 19.36. So the new parking lot had to be created.

The grass parking alternative was brought up with three goals. One to have a functional grass parking lot. Two, to make sure it was aesthetic to maintain the green look and to keep that area as an open space area and thirdly, to be coastal sensitive. To meet those goals, we met with Public Works on the design and we submitted on a layout that dimensional requirements and also provided a structural system using a

recycled plastic product called geoblock to provide support for vehicles driving on it on occasion. These plans were accepted by Department of Public Works allowing this parking area to be used as required parking. The chapter allows up to 25 such required parking to be grassed parking. This is 35 stalls and it comprises about 6% of total parking on site.

We also met with the Sea Grant Extension Service and queried the Department of Health regarding coastal and health issues for the parking area. Sea Grant Extension Service did not have any concerns due to the distance. It's about 75 feet from a shoreline. The nature of the shoreline which is armored and just by the nature of the improvements which are below grade and do not constitute anything that would be obstructed during an erosion event. We also took this before the Urban Design Review Board and it was approved.

I'd also like to kind of clarify some of the access in the area. The project site is located on Lower Honoapiilani Road which branches off of Honoapiilani Highway. Recently the County made some improvements to this road. Sidewalks alternate between mauka and makai locations and there's an unmarked area and unsigned area for bike usage and an occasional parking along the road. Honokowai Marketplace was recently developed and they've also put in sidewalks along their entire frontage along with the only marked bike lane all the way to Mahinahina Bridge.

The applicant has pedestrian access coming down through the center of the parking along the entry and an asphalt walkway traversing the southern section of the frontage. There are two crosswalks in the area. Two crosswalks come across from the main entry and Aston Kaanapali Shores Place. They also meet up with the sidewalk which fronts that section of the property. Currently there are no ramps to this section of the sidewalk and the applicant has no objections to putting in a ramp so that there's wheelchair access all the way from the Honokowai Marketplace and through the project. There's also another sidewalk which continues on the southern side of Aston Kaanapali Shores Place for towards the beach access which was created with the development of this and the next project, the Embassy Suites. It has parking, restrooms and shower facilities. To the north, there's also Honokowai Beach Park located also on Lower Honoapiilani Highway or Honoapiilani Road.

I'd like to introduce some of the members of the team here. We have Darrel Kloninger, President of the Aston Kaanapali Shores Association of Apartment Owners, Matt Gilbertson and Terry McFarland of Architects Hawaii. I'd like to introduce Darrel Kloninger to say a few words about the project and then we'll have Architects Hawaii

present more details on the improvements in the lobby area.

Mr. Darrel Kloninger: Thank you. And thank you all for listening to and considering Kaanapali Shores.

Mr. Edlao: Excuse me, can you identify yourself in the microphone?

Mr. Kloninger: My name is Darrel Kloninger and I'm the President of the Homeowners Association at Kaanapali Shores. I've been on the Board of Directors for 20 years and most of those years as President of the Board. So I have a long term involvement with Maui and with Kaanapali Shores. I could talk for hours about this project, but let me just briefly say that the project is 20 years old and in those 20 years almost 1.6 million visitors had stayed there. There's 200 employees. There's 463 apartment owners. The project needs updating and by investing now in the project, it benefits the employees, it benefits the visitors and it benefits the homeowners who are making possibly investments in these improvements.

We're very fortunate to have a wonderful design team at Architects Hawaii who've come up with a concept that really works well for the property. I appreciate the flexibility that the planning process has had in working with us on the parking issue and being open and flexible on the grasscrete solution or this grassy parking area which allows us to meet the parking requirements but not to have a paved parking lot back there that would be unsightly to the guests and to the owners and it would be paving over more of Maui which – so I feel good about that.

The Homeowners Association has gotten from their owners, from the individual owners, over 75% approval for this process. We've arranged for bank financing on very favorable terms and the planning process is proceeding ahead. So we're in a position now where if we get approval, get these final approvals, we're ready to begin construction in late August and completed in a three-month period approximately with a minimum of disruption. We're just very excited about it. I'd be happy to answer any questions you may have about the process and what the project is.

I just want to just say as a final thing that this is something I feel a personal responsibility for not just for the homeowners, but for the people that are working at Kaanapali Shores. Many of whom, at the last meeting I handed out a lot of 20-year badges for service at Kaanapali Shores. We have an excellent employee staff there and a very loyal dedicated group of people who are very excited about this dressing up of Kaanapali Shores.

Mr. Edlao: Commissioners, questions? If not, Commissioner Medeiros.

Ms. Medeiros: At the beach access, how many parking spaces are there provided?

Mr. Kloninger: The beach access between the two projects?

Ms. Medeiros: Yes.

Mr. Kloninger: I think there are eight, but I'd have to double check. Okay, six.

Ms. Medeiros: And I think it was stated that there's an exit or an entrance on Kaanapali Shores Place?

Mr. Kloninger: Yes.

Ms. Medeiros: Can you show me where it is and is it utilized?

Mr. Kloninger: This is the new plan, so we don't – do we have a plan of the existing that shows?

Ms. Medeiros: So on the new plan there will be no other exit or entrance?

Mr. Kloninger: There will be no other exit or entrance. It got to be quite an involved thing from construction and permitting and a legality point of view because this road is shared, you have shared owners, you have a situation. Basically, yeah, it comes right out here and then goes out to the highway.

Mr. Bertram: Just as this thing ...(inaudible)... the corner here.

Mr. Kloninger: Yes. You come out here and then you come out the side, and it is definitely used by Kaanapali Shores people, but it's also the primary access to Embassy and the Mahana.

Mr. Fellows: I can maybe clarify.

Mr. Edlao: Sir, could you please approach the podium and identify yourself. We need to, because of the recording of the minutes.

Mr. Fellows: I'm sorry. I'm Jerry Fellows. I'm the General Manager of Kaanapali

Shores. On the entrance, on what we would call on the south side, you come down the general access going to the Embassy, etc., and you can go in that side. It's more of a fire lane. That is the one that is – We gate that at this point and we use it for access only in an emergency and when needed.

The main entrance is the double one that comes in the center and then on the very north side along the side is where you have the entrance next to the drainage area. So there is really three entrances, but the one is really just a spin off of the cul de sac that goes in to service the Embassy, Mahana and Maui Kai.

Ms. Medeiros: Okay, that was my concern if you're going to close it off and then you only have one, you know, this main entrance in case of fire.

Mr. Fellows: No. That's what is it. There is a fire lane that goes down that side, the fire lane down both sides and the main lane. So it's only on a base chain, so it can be removed at any time.

Ms. Medeiros: Thank you. I have a question for Milton.

Mr. Edlao: Sure, go ahead.

Ms. Medeiros: Milton, what or if ever, you know, what is the requirement for beach access parking? Is there one?

Mr. Edlao: Director.

Mr. Min: You know, as I recall, there's no specific requirement. If I recall in this project I think years ago when it first came in, it was through the SMA permit review. There was a requirement for beach access and parking. I think that's how that policy was implemented. It was through the SMA process.

Ms. Medeiros: Was there a formula as to how many spaces are provided or it's just whatever number they want to give?

Mr. Min: Yeah, as I recall way back when, usually the recommendation for parking would be based on comparable situation or comparable beach access, you know, in the general area. I don't recall any specific standard of, you know, "x" number of stalls for, you know, so many square feet of, you know, beach area. I don't recall any technical standard of that kind. I'm not sure how six stalls was determined for this

particular area. And it strikes me that that would be a very – it's obvious that this project was approved a long time ago.

Ms. Lu: I have a question.

Mr. Edlao: Commissioner Lu.

Ms. Lu: Are you the people who allow the surfers to park for \$5.00 a day?

Mr. Fellows: No. I don't have knowledge of anybody being able to park at Kaanapali Shores for \$5.00 a day with one possible exception. I'll have to ask Jerry. Do we have a \$5.00 rate for the tenants of the stores or employees?

Mr. Kloninger: ..(inaudible)...

Mr. Edlao: You know, I need you to approach the podium and respond. Again, for the record, we do take minutes and it's going to be very difficult for the staff, you know, support team.

Mr. Kloninger: Again, we do have a parking charge at Kaanapali Shores which is controlled through an access down the main center and that is the one that's controlled with a gate and it's manned 24 hours a day, seven days a week. The parking fee is \$7.00 for all registered guests of Kaanapali Shores. Our owners when in residence have no charge. We also have certain of our, when they're in residence personally themselves, when they're on the property. We also have for the various different shops that we have on the property if someone were to come say for instance to the beauty salon, they have tickets which we issue and they issue them to their guests that would come in at a given time. So it's all very, very controlled from the standpoint of the access to the property and also to the number of people that's on the property. We do, one thing I just bring in, we do not do any outside advertising for say for instance, the restaurant or anything else. So our facilities are really geared for the hotel guests that are staying at Kaanapali Shores.

Mr. Edlao: Commissioner Piltz.

Mr. Piltz: You are saying that anybody that enters your property will have to pay a parking fee for beach parking? You've got access on both sides. They have to pay for it?

Mr. Fellows: Right. The beach parking is provided to the — would be to the south side of our property. That's the beach access. It runs between us and the Embassy where the restrooms are. On our side of the fence is the private area that was never beach access parking. Kaanapali Shores was separate. That the beach access is just to the right of there.

Mr. Piltz: Point that out over here.

Mr. Fellows: The beach access would be over here. See, we come in here to our property and our parking. This is where you come off the cul de sac on the very south side. Where you come off the cul de sac, you go along here and this is the fire lane and to the low rise building which we have out here. The beach access, the restrooms will be sitting right here and the beach access parking is on this side of the fence which is on, I don't know if you'd call it the Embassy side, but it's the accessibility —

Mr. Piltz: But that's not on your property?

Mr. Fellows: That's not on our property.

Mr. Piltz: So you don't have any beach parking at all on your property?

Mr. Fellows: No, and we never had any requirement for that to my knowledge.

Mr. Edlao: Any other questions? If not, I have concern. You know that grass parking, the geoblock and all of that, that's all fine and dandy and everybody's concerned about erosion into the ocean and that's fine. Has anybody thought about the non point source pollution? How you're going to address that, the heavy metals from the cars that park on that area? What's going to be done? Has anybody thought? Mr. Cole.

Mr. Cole: I'd like to address that question. I talked specifically with the Department of Health about, you know, possibly leaky oil and such dripping from a car. At the time I talked to them, you know, in any case that happens. You know, ideally, someone would have a bag of ...(inaudible)... they would pour on and it would neutralize it and turn it into fertilizer. Most engineers on sites like this are armed with a bag of kitty litter to clean up such a spill. Granted that it's 35 stalls, it will probably be used seldom to never and that the cars parking on it will be rental cars which are generally maintained. Department of Health kind of agreed and they said they had no comment. It wasn't warranting a health problem.

As far as the ocean is concerned, most of the lower Honokowai area drains into the ocean. Something on this grassed parking would actually be detained more than something that was on a hard paved surface which would have an expedient way into coastal waters. So you're saying that you're not concerned about it and that it will just filter down into the ground area and will not go into ocean?

Mr. Cole: I would say it would have a less expedient.

Mr. Edlao: Okay, let me ask you this, is there a program that you're going to have in place for somebody to go out there with cat litter and check and put this out? Or is this something that when you feel like it, you guys will go out. I want to make sure that nothing gets into the ocean. A lot of people will misjudge what falls off a parked cars. Rent a cars if you ask me are the worst ones. They're abused vehicles. They travel all over the place. I've had rental cars that had leaky oil and other things and this is a concern. Everybody is looking at erosion which is fine and dandy, but I want to know what's going to happen and what you have in place or you should have in place for the non point source pollution into the ocean because of the proximity to the ocean.

Mr. Kloninger: Okay, and thank you for bringing up that point because it was something that we had discussed internally at the board of directors. And the thing that I would share with you is that our biggest concern about putting in this grassy parking area was that how would these apartment owners here feel about it because we have to be very sensitive to the – we're really representatives of the individual apartment owners on the board. So, we did a lot – got a lot of information on what this grassed parking area is and we mutually as a board reached a decision that the grassed parking area is an ideal way to do it if it's very heavily maintained so that the grass keeps growing and so that it has a lush look to it. And if the grass keeps growing when these owners of these apartments look out, they won't see anything essentially different. In fact, we're also going to plant some trees there. So our big concern as the board of directors was is this going to be a beautiful addition to the project or is it going to be a parking lot that you see the little squares with the pukas in the middle? We're confident that by directing the Aston maintenance people to do a daily, their daily service on that and watch and deal with oil as it comes up that it will not be a problem. And as a final point, I would say that if those of you that are familiar with Kaanapali Shores, if you look at the central courtyard, this courtyard here, it's really beautifully maintained. The grass, the plantings, everything, that's a testimony of the quality of the Aston manager and the maintenance people that they have there and the pride in maintaining it. So we as the board of directors feel that

it's not a problem.

Mr. Edlao: Nobody parks in the courtyard.

Mr. Kloninger: Yeah.

Mr. Piltz: One other question.

Mr. Edlao: Go ahead Mr. Piltz.

Mr. Piltz: So far nothing has been shown or at least I can't find it here that this grassed parking area will be lit for safety of those? You'd be parking at night and walking out there, are you going to light that parking area? And what about the light pollution for your tenants?

Mr. Fellows: Again, Jerry Fellows. That area being very honest with you I don't think will probably ever be used because of the fact that frankly speaking we have enough parking on the property. Our parking, this is bringing it to be in compliance. The parking area does have, and that area we do have time sensitive lighting on that side of the building which we can – if people were to approach the building, I'm sure something like that could be accomplished, but being very honest with you I think we'll probably not use that parking space a great deal at all due the fact that frankly we want to keep the integrity of the green area in there. This is, really the idea is to make it green because we do have controlled parking on the property and we have a number of stalls extra all the time.

Mr. Piltz: All it takes is one accident.

Mr. Fellows: But again, parking – lighting could be done there.

Mr. Piltz: Yeah.

Mr. Edlao: So you're just doing this grass parking to come into compliance with the requirements for the parking?

Mr. Fellows: Yes.

Mr. Edlao: Commissioner Kozuki.

Mr. Kozuki: Maybe John or Milton. The applicant has stated that the original parking requirements were for a condominium complex and since then it has changed into a hotel type of operation to the point where – I don't know, did you say 90% are in the renters pool?

Mr. Fellows: 97.

Mr. Kozuki: 97% is in the renters pool. In the requiring of these 35 extra stalls was that considered – is there a process where the parking requirement can be changed or was it taken into consideration it is basically a 97% of the rooms are now a hotel rather than a condominium?

Mr. Fellows: I'm sorry is that a question to me?

Mr. Kozuki: No, I'm the staff.

Mr. Min: I would assume that the parking requirement for this project is based on the apartment standard given the layout and function of each of the individual units. They function like a hotel or excuse me, like an apartment unit, kitchen, living area, bathroom and that constitutes a living area. In comparison with the other project we just reviewed which is a hotel project and the standard there is different.

Mr. Kozuki: Higher or lower, excuse me John.

Mr. Min: It's lower.

Mr. Kozuki: Which one is lower, excuse me?

Mr. Min: With the apartment standard and I'm not sure – first of all, how many parking stalls do you have on the property totally?

Mr. Fellows: 579. 1.25 per unit.

Mr. Min: 1.25, okay. The current standard is I believe one stall for every two hotel rooms. That's the current standard. The apartment standard has been amended since this project was first developed but it's two stalls for every unit.

Mr. Kozuki: How many units are there?

Mr. Min: This project it's 1.25 stalls per unit.

Mr. Kozuki: Okay.

Mr. Kloninger: 463.

Mr. Min: So the number of stalls is less than the current apartment standard but it exceeds what is required for hotel.

Mr. Kozuki: And hotel is one stall per?

Mr. Min: Is one stall for every two rooms.

Mr. Kozuki: For two rooms.

Mr. Min: Right.

Mr. Kozuki: So this one is really something that's caught right in the middle?

Mr. Min: Yeah.

Mr. Kozuki: Plus to even complicate the issue, it's not in compliance with an apartment. Right?

Mr. Min: Yeah. Again, I have to assume that based on the nature of the units, they are condominium units. They qualify as apartments. There are also commercial uses within the facility and those have specific parking requirements. If I recall, in the renovation to the porte cochere area and the parking there's going to be a loss of parking is that correct?

Mr. Kloninger: Yes, actually what we're doing is we're replacing the parking that we're taking away by the new addition by building the grass parking area and we're making the grass parking area sufficiently big enough to bring us fully into compliance with the parking requirements as they now stand.

Mr. Cole: Currently the parking is considered nonconforming. The new sections that are developed including the retail space are being developed according to the nonconforming sections of the Maui County Code which requires that new spaces be accountable to the full parking requirement that is current and they are doing so. And

just to clarify, it's not 30 new spaces, it's 30 spaces that are just being moved to the grassed parking and four additional spaces. Currently there's a surplus of two spaces in the count done by Public Works. There's a surplus of two spaces.

Mr. Kozuki: And then onto my question, is there a process available to not only these people but to other condominium complexes that have morphed into a hotel that could bring them into compliance?

Mr. Min: When you say bring them into compliance are you referring –

Mr. Kozuki: ...(inaudible)... hotel.

Mr. Min: Reducing the standard that is currently applicable?

Mr. Kozuki: Right.

Mr. Min: Well –

Mr. Kozuki: If it looks like hotels, taste like hotel, you know, that type of – you know what I'm saying?

Mr. Min: Yeah.

Ms. Higa: Excuse me, can I?

Mr. Min: Yeah, go ahead Julie.

Ms. Higa: Well, it's apartment. Because it has a kitchen it would be required regardless whether it's a hotel or apartment, it would be required to have two parking stalls. That's the current code. So regardless of whether you call it a hotel it would have two parking stalls.

Mr. Kozuki: Yeah, we know what the code is. Yeah, right now two parking stalls per apartment.

Ms. Higa: Right.

Mr. Kozuki: But when it was built, they were under a code that allowed them to have one and a quarter stalls per unit. And thirdly, now it's basically a hotel if 97% is

correct. So it's being run like a hotel so we got three different standards. So I'm not lobbying or pushing for any of the three but I'm just trying to see, you know, obviously this one again is another one of those projects that's fallen through the cracks, you know. To bring them into compliance okay, it is being run as hotel.

Ms. Higa: But the thing to bring them into compliance they would have to then provide two parking stalls and that wouldn't make any sense either.

Mr. Kozuki: Not if it was a hotel though Julie, because then it would be one stall per two rooms.

Ms. Higa: No, because as long as you have a kitchen it's considered an apartment regardless of whether it's for short term or long term use.

Mr. Kozuki: Oh no, I realize that's the definition of an apartment.

Ms. Higa: Right.

Mr. Kozuki: What I'm saying, is there a process where in actuality it's being run as a hotel? You know. So if the answer's no, then there is no process available to them.

Mr. Min: well, there is the variance process which is another procedure. I don't know if it would be appropriate in this situation, but you know, that would be another possibility. I have another question regarding parking. There's about, was it 537 parking stalls total?

Mr. Kozuki: 579.

Mr. Min: 579. On any given day, or lets say during the busiest time of the year what percentage of that parking lot is filled?

Mr. Fellows: Well, there are 463 units total in the property.

Mr. Edlao: Excuse me, you need to identify yourself when you come back.

Mr. Fellows: Jerry Fellows. I'm sorry. There are 463 units on the property of which we usually have about 440 to 445 in the program. I would say that basically not everyone arrives in a car and most everybody does arrive with one car. So there's really, there's a given time when we're never full in the parking lot. We always have

frankly quite a bit of space available at all times due to the fact that we do have controlled parking on the property. We control the access of it. We charge at the desk so as a result there's no time that I've ever seen since I've been there that it's ever been full. Usually we have at least on the – the garage is two stories but it really goes up one, two, three levels. The fourth and third level are usually open, wide open on the parking. So that's why I guess I made the comment earlier we'll probably never use that grass area due to the fact that frankly speaking we never need it because it is controlled.

Mr. Min: Question now. In reference to your comment, does that also include the employees?

Mr. Fellows: Yes.

Mr. Min: They park on the premises?

Mr. Fellows: Right. They all park on the premises and basically most all of the employees, 95% of the people because we have a very small food and beverage operation, 95% of our people are not working in the evening. So as a result, after 8:00 everybody's out touring and basically what happens is they come back. So during the day there was really never any problem with the employees parking.

Mr. Kozuki: One more question if I may?

Mr. Edlao: Go ahead.

Mr. Kozuki: Technical question on the property taxes. Is this complex being property taxed as a hotel or as an apartment?

Mr. Fellows: As a hotel. We pay TAT. We pay all taxes, excise, TAT and property taxes also.

Mr. Kozuki: Property tax is based as a hotel?

Mr. Fellows: As a hotel.

Mr. Kozuki: For the approximately 97%.

Mr. Fellows: Yes, they are, sir.

Mr. Kozuki: The other 15 to 18 units are –

Mr. Fellows: The only thing I could say on that, they may have asked for some individual personal tax relief themselves. I couldn't answer that.

Mr. Kozuki: And they get taxed as an apartment rate?

Mr. Fellows: I don't know their tax base honestly as an individual owner.

Mr. Kozuki: Hotel rate is higher than an apartment rate?

Mr. Fellows: Substantially.

Mr. Kozuki: So what we have here is 463 units which at one time called for 579 stalls which is one and a quarter for an apartment. So now because it has a kitchen it's an apartment, but yet they're all being taxed for property tax purposes as a hotel. All right, that was my question.

Mr. Fellows: Plus TAT.

Mr. Edlao: Commissioner Nascimento.

Mr. Nascimento: A while ago we heard on your beach access is on that same entrance with the Embassy Suites. Then we just heard a little while ago that the beach parking is not your property. Yet we heard from the director that you were supposed to provide six stalls for the beach access for public parking.

Mr. Cole: Robert Cole, Chris Hart and Partners. The project when it was first initiated was done before the SMA law and I don't think there was a requirement for beach access at the time. There is a public free beach access between the Aston Kaanapali Shores and the Embassy Suites. I'm not sure when it was developed. I think it may have been triggered by the development of the Embassy Suites and I believe the two lots were one at one point.

In addition to that beach public access there's one north with about, I'm guessing about 36 stalls at Honokowai Beach Park. There's one south, I don't know how many stalls it is at one of the North Beach parks, and there's a future North Beach park planned just south of the Mahana.

Mr. Nascimento: You know, I'm not concerned about Honokowai Beach Park or any of the other parks there. What I'm concerned is about the Kaanapali Shores. Now what I would like to see is a beach access from the Kaanapali Shores property with at least 10 stalls. It was just admitted by your manager you have an excess of amount of stalls. So you can well afford 10 stalls per day for the general public. I'm not worrying about the guy that goes surfing. What I'm thinking about is guys like me and want to go spinning and walk on the beach, park my car and go spinning. But without any beach access or stalls, we're doomed.

Mr. Edlao: Commissioner Kozuki.

Mr. Kozuki: As far as the grass area parking, the 35 stalls, how are you going to get there? How will the guests get there?

Mr. Cole: Current access to the parking lot, the rear parking lot?

Mr. Kozuki: The proposed parking.

Mr. Cole: The proposed parking is the same as to the existing parking on the side of the hotel which is through the main entry, under the parking garage there's a couple of lanes into the existing parking and then there will be a ramp up onto the grass parking.

Mr. Kozuki: My thinking is why can't that be used for designated beach parking. It's not going to be used by the guests as stated by the manager number one. Number two, I, you know, my line of question I had as far as the current parking designation versus the property tax designation. I don't think that the county should have it both ways. If we are taxing those 463 units at a higher rate at the hotel rate, maybe they should take into consideration the fact that the parking requirements would be that of a hotel. I'm looking for some sort of consistency here. At that point there, and again, Mr. Min has mentioned that there is the route of using a variance. You know, but again, nobody should have it both ways.

On the other hand, the project doesn't have any designated beach parking currently, and if practically speaking those 35 stalls will not be used by the guests or employees, you know, maybe that can be worked into opening that for the beach access for the public.

Mr. Kloninger: It's lets do a deal time I guess. No, but I'm saying that factiously.

Mr. Edlao: Name please.

Mr. Kloninger: My name is Daryl Kloninger.

Mr. Kozuki: We're trying to find a solution.

Mr. Kloninger: Yeah, I agree with you completely and it's interesting to listen to all of your comments. Your comments in particular are a mirror image of the questions I get from owners about why are we putting in more parking when the existing parking is not full?

Mr. Kozuki: No, that's not my point.

Mr. Kloninger: No, no, no, but –

Mr. Kozuki: I didn't mean that point. That doesn't mirror my question.

Mr. Kloninger: Oh, okay. I'm sorry if I misunderstood what you were saying. We can be flexible on doing a number of beach access stalls and designating those on a controlled basis. And I was just asking Jerry Fellowes about it, how it could work operationally. And we could do six to seven stalls on this – in this area here and do it on a pass basis similar to what I've experienced at other – Well, at Manakea Beach Hotel has a pass system like that where you go up and identify yourself as a local person that just wants beach access and they give you a plastic card. We could have a similar system like that and if that would address your concerns we would be happy to do that and it could work on a designated basis.

Mr. Kozuki: My questions is –

Mr. Edlao: Mr. Kozuki.

Mr. Kozuki: Why not have a designated basis for all 35 that your guests and employees are not going to be using anyway?

Mr. Matt Gilbertson: I'm Matt Gilbertson. I'm the architect from Architects Hawaii. I just want to – I haven't said anything. I'm just taking it all in. What occurs to me in response to your question is that I think everyone's goal here is to keep no cars on that spot. It's the owner's objective, it's the architect's objective, I'm sure it's Planning's objective, nobody wants more paving so we're going to do more grass,

right. We didn't want to pave it over. Our goal would be to never have to park a car in that area. And judging from the numbers of stalls that are still available in the existing condition, we expect to never park a car in there. So I think our objective if there are any concessions to be made in terms of parking of vehicles for beach access would be to put it on existing paved areas because for one, it does preserve the ability to control runoff in situations like that. That's a much easier place to deal with it. Plus it's where other cars are. We don't want to create an unsightly condition in front of these units. That's really the number one objective here is to keep Maui green, and as much as we can keep Maui green in this location all the better.

Mr. Edlao: I appreciate that comment because unlike Commissioner Kozuki, I wouldn't want any parking on that grass parking at all. I like the suggestion of the beach access parking on already existing pavement and there is access going out that way on this side on the south side anyway. You know, that grass parking for the paper, fine. You know, that's great. But you know, because it's controlled. But I still would like to see some sort of control plan in place should parking be there. Anything else Commissioners? Commissioner Richardson.

Ms. Richardson: Being that you are coming in for that parking, you showed where it's going to be like brick in ground and there's grass over. What about the edges? The edges of this parking area that is next to the stream and flows down?

Mr. Cole: Robert Cole, Chris Hart and Partners. We designed a brick header to surround the perimeter kind of flush at ground level. So it wasn't very visible, but it was there functionally so someone would know where to park and where not to park and it would be kind of set in mortar base for areas that were not in the shoreline setback and set in sand in the areas that were in the shoreline setback.

Ms. Richardson: So there's no buffer then to say on the edges? You know, when somebody goes to park, okay, there's usually something that holds your tires.

Mr. Cole: A wheel stop.

Ms. Richardson: Yeah.

Mr. Cole: Correct. At this time, we had not planned wheel stops partially because the area -- we didn't expect, you know, there's not expected a lot of use of that area. But that could be put in if needed.

Ms. Richardson: I think you got a big problem if you are going to have people parking there. You've got, as it's shown here on this picture, it slopes down right into the stream.

Mr. Cole: The picture is taken from on top of the hotel. It's a very slight slope. It's not a rolling slope at all. It's almost flat in that area. There's a little bit of grade where the water goes and collects in an inlet at the end. But it's essentially flat.

Ms. Richardson: But if somebody reverses and –

Mr. Cole: There is a fence and vegetation along Honokowai Stream to prevent someone from driving into it.

Mr. Edlao: Commissioner Kozuki, you had a question, concern?

Mr. Kozuki: I don't understand why we're going through this process if that particular area of the project is never going to be used as parking why do it at all?

Mr. Edlao: It's a matter of requirement. Taking away from the front, so they need to comply. That's why I mentioned earlier on paper, I could care less where you put it, you know.

Mr. Kozuki: But they've decided to put it there. And we have concern about beach parking. It doesn't have to be all 35. They currently don't have anything there now.

Mr. Edlao: That's why we're talking and they suggested the existing parking on the south side of the structure.

Mr. Kozuki: And I mentioned why not use this on paper location that they have suggested. Consider some of that for beach parking.

Mr. Edlao: One of reasons because I'm concerned about the pollution, the heavy metals from the car and if you designated it as the beach parking there would definitely be parking on there every day. On the other hand, the other side, there is ample parking so, you know, we could alleviate having parking on that grass area. You know, they need it for the requirement in terms of based on the size of the place.

Mr. Kozuki: The parking lot, the ...(inaudible)... going to park on, do they have

mitigating circumstances to take care of the pollution. I mean, they've stated themselves. But it's there, and we need beach parking, hey, what the heck, right?

Mr. Edlao: Commissioner Piltz.

Mr. Piltz: How about a compromise? How about if we gate that area off and say overflow parking only and only open it when it's completely full and then we'll take the eight parking on the paved area and that would be two conditions in our request here.

Mr. Edlao: I tell you what, anybody has any other specific questions with regards to the project, any other areas of the project? Maybe we can, you know, since the whole focus right now is in parking and coming to some kind of terms I would like to move on, we're way past my lunch hour. So if you guys don't have any other specific questions with regards to the rest of the project, I would like to move on. And before we move on, if it's okay with the applicant I need to open this for public testimony for now. Do you have something to add? Identify yourself please.

Mr. Terry McFarland: Terry McFarland, Architects Hawaii. Just one quick comment. I just want to make sure we're clear on is if we have five or eight or how ever many spaces allocated for beach parking that we are not going to be required then to provide an additional five or eight spaces to meet our requirement for parking. I just want to make sure that we don't -

Mr. Edlao: We're going to get to that when we get to the conditions.

a. Public Hearing

Mr. Edlao: So at this time, public testimony is now open. Is there anybody out there who would like to testify please approach the podium, you got three minutes. Identify yourself please.

Mr. Terry Dowsit: My name is Terry Dowsit. I'm the General Manager of the Embassy Vacation Resort who is the immediate neighbor to the south of the Kaanapali Shores project and I just want to speak in support of this improvement. It's important to continue improving the quality and presentation of our resorts and facilities so that we can perpetuate Maui as a current success as a premier destination. With the development in increasing marketing efforts throughout the world, upgrading of our assets to remain competitive will benefit not only our community but the owners of

the resorts, the residents of Maui as well through taxes and various other resources. That's all. Thank you.

Ms. Lu: I have a question for the gentleman please.

Mr. Edlao: Okay, don't go away. Commissioner Lu.

Ms. Lu: Are you the entity that charges \$5.00 a day for parking?

Mr. Dowsit: No, I'm not. The beach access is free.

Mr. Edlao: Okay, anyone else would like to testify? You name please.

Mr. John Dunning: John Dunning. I'm the President of the Association of Apartment Owners of Papakea which is Aston Kaanapali Shores next door neighbor to the north. We also have no objections to their proposed plan. I totally support it. We appreciate your time. Thank you.

Mr. Edlao: Anybody else would like to testify on this project? Seeing none, public testimony is now closed.

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

Mr. Kim Ball: My name is Kim Ball and I wanted to testify on the Kaanapali Shores application. I wasn't going to testify but I feel I represent a silent majority. They want something. First of all, I'm opposed to it unless they would provide parking. We've heard about parking, but they want something from us, the taxpayers, well, I think we need something from them.

Basically beach parking from Mahana to "S" Turns we have six spaces at the Embassy Suites. They were required to put in beach parking and a restroom and shower which is great, but other than that we have Honokowai Park and you know you never see very many people out in the water there because of the reef. So basically before Embassy Suites was built, everybody parked on the empty lot. As you may or may not know there's a lot of good surf spots. There are osterizers, rainbows, hotels. They're almost inaccessible now. And also right at Kaanapali Shores right in between Embassy Suites and Kaanapali Shores it's probably the best windsurfing spot on the west side because of the way the wind fills in at that point.

Years ago the Kaanapali Shores allowed local beach users to use their parking lot and then about five years ago they got very active and put a chain up and wouldn't allow any beach parking. Then a few years ago they put up a guard house and it's five dollars a day now to park there. So the population of Maui is not growing smaller but our beach accesses is growing smaller and something has to be done. This is a opportune time. I don't know anything about their development other than they want to do a new lobby and change the parking a little bit. But you know, even now like at Napili Point when the surf is good, they call a security company and block their parking lot so you have little access to Little Makaha or Hole in the Head and now it's created a, you know, a problem, a safety problem, because now everybody parks on the street and double parks. So I think it's time to get proactive with the resorts and developers that want to do more. Lets make some requirements of them.

I think one easy way, that parking lot, because they have second tier it never seems to be full even in high season, they could do something creative like have 20 local beach passes a day. They can monitor them at their guard house and it wouldn't cost anything. It wouldn't change their project. I mean, we're not asking to park right at the beach. I'm not doing this for me. You know, I've got to work and I have little time for the beach now, but I'm making this request not only for my kids, but for your kids and the future kids because we're not getting more parking spaces. It's not – We're getting more and more resorts. That's all got to say. Thanks.

Mr. Edlao: Thank you.

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

b. Action

Mr. Edlao: Julie lets proceed with the Recommendations.

Ms. Higa presented the Recommendation.

Mr. Edlao: Commissioners, you heard the recommendations. Commissioner Medeiros.

Ms. Medeiros: Julie, I have a question on the 15, the roadway improvements. What does other roadway improvements include?

Ms. Higa: It was the intent that it would be, you know, meeting the current standards which is curbs, gutters and sidewalks.

Ms. Medeiros: Okay, can we put that in instead of "other roadway improvements."

Mr. Edlao: Okay, you're talking about number 15?

Ms. Medeiros: Yeah. Be specific about the improvements rather than –

Mr. Edlao: You know, there's a twofold thing to that, yeah. The purpose of that was a plan to address the ponding and the ADA requirements. What are you talking about? I mean, they're both in there.

Ms. Medeiros: No, I'm talking about the other roadway improvements.

Mr. Edlao: Oh, other.

Ms. Medeiros: I wanted to know.

Mr. Edlao: Okay, maybe Milton, you want to comment on that other?

Mr. Arakawa: Sure. The other improvements is basically what Julie mentioned. We were talking about curb, gutters and sidewalks. I just wanted to expand on that condition a bit. The Public Works comments originally, you know, basically the frontage improvements would be required if you're talking about any kind of new project, you're talking about a vacant piece of property that is being developed. Or if you're talking about a substantial renovation to a piece of property. In this case, the proposed project doesn't really trigger the frontage improvements along the lower road. However, there is also a fair amount of pedestrian traffic that traverses that makai side of the road so that was the reason for our comment is that we basically asked the applicant to consider putting in the frontage improvements as part of the current project and that's, you know, basically what we asked the applicant to consider and maybe you can ask him what his response would be.

Ms. Higa: Because the applicant has some concerns about that too.

Mr. Edlao: Milton, clarify. The condition reads "shall submit plans" it doesn't say for them to put it in. So could you clarify that?

Mr. Arakawa: That's correct, and that's partly our concern is that the proposed itself doesn't trigger or require the applicant to put in the frontage improvements. But we would –

Mr. Edlao: You just want the plans to be submitted? That's all you want?

Mr. Arakawa: No. Currently the condition reads that the plans would be submitted. We would like to discuss with the applicant a specific time frame as to the construction of the frontage improvements.

Mr. Edlao: Rory, you want to address that please? Just for the record, identify yourself.

Mr. Rory Frampton: Thank you Commissioners. Rory Frampton from Chris Hart and Partners. The existing situation is that the – like it is on most of Lower Honoapiilani Road where you have sidewalks on one side or the other. This section of the roadway the sidewalk's on the mauka side and it's improved all the way along. It's improved along the – it was improved along the Honokowai Marketplace which when this photo was taken it was vacant and it runs north. And then I think starting from the bridge is where the County came in if I'm correct and did their Lower Honoapiilani Road improvement project.

They have right now in the – fronting the project there is a walkway along th south side of the property and there's also walkways that go into the project. And there are crosswalks which lead from either of these two ends across the street to the crosswalk which runs on the mauka side. But right now there's no way to get a wheelchair across the street from the sidewalk on the mauka side across the street and over, there's a little curb there to get into the project site, into the project. So what we're proposing is just to make a very specific condition, "that the applicant shall provide for ADA compatible wheelchair access ramps from the existing onsite walkway," that's the one on the front of the property, "to the existing crosswalks within Lower Honoapiilani Road." So then we're able to get people from the project across the street to the existing sidewalk that's runs on the road. We would like condition 15 to be amended to specifically those improvements.

And just with regards to the larger frontage. It's a building – in the building code it says if your improvements are valued at more than 50% of your replacement costs of your building. So if they were doing something that would be 50% more than the cost of what it would take to rebuild this thing then you could require them to do the total roadway improvements. So it's not required by code that they do that. Public Works is asking for consideration that they implement some of these measures and what we're suggesting as a compromise is we're able to do what's necessary to get the people across the street the existing sidewalk in a ADA compatible manner.

Ms. Lu: Comment please.

Mr. Edlao: Bernice, I wanted Milton to respond to that suggestion. Milton.

Mr. Arakawa: What Rory said is correct. You know, we don't have the power to require the frontage improvements, but it still would be preferable from our standpoint to put in at least the sidewalk on the northern side from their main entry driveway towards the Papakea. Currently there is a like, I guess it's like a gravel path that's adjacent to the roadway. So the pedestrians basically walk on that gravel path that's just adjacent to the travel lanes. There is a fair amount of traffic, so a sidewalk from our view would be at least preferable.

Mr. Edlao: Okay, are we talking the same thing Rory? We're not, right?

Ms. Higa: No.

Mr. Edlao: Okay, Commissioner Lu.

Ms. Lu: And just to expand just on what Milton said. You know, this project has been having, it's 20 years old and yes, they want to upgrade the project to compete in the world, you know, to make it a world class project and yet your frontage looks really terrible and I think that's something the managers and owners should really think about because you're – according to the video, your frontage has a very poor image on that side there. And yes, it is not a requirement of the Department of Public Works, but boy that's really something you should think about.

Mr. Edlao: Okay, just a minute, before we get way off of this, I want to go back to Star Medeiros' concerns. We're going to add in the other roadways – instead of other roadways you're going to put in the curbs, sidewalks and gutters. Is that what you wanted to do?

Ms. Medeiros: Let me just elaborate. Right in front of their property, correct me if I'm mistaken, but only half the roadside, the mauka side is paved. And right in front of their property it's old and it's unpaved. And people have difficulty crossing the street because it's – because of the entrance into Embassy and then to theirs, and if they improve that area there with the sidewalk, improve the paving, marking it properly so that people can cross. Also if they do the sidewalk I know that buses drop off their guests there or people wait on the side over there, you know that would be more, I don't know, aesthetically beautiful for your hotel. And you should really, what Bernice

said, think about that, that image that's there.

Mr. Edlao: Name please.

Mr. Gilbertson: Matt Gilbertson from Architects Hawaii. We appreciate you comments, sincerely do, because we've taken great pains to make a very attractive project in the area in which we are affecting. We see upgrading the facility as a necessity not a desire. But at the same time, you didn't actually see perhaps the cutbacks that have been made in order to accomplish what we're at least able to accomplish here. The project used to scope the entire area all the way out here and that's what probably triggered some of the comments in the first place. Our desire was to make greater effect, but we're limited by the financial realities of the situation when we face that restructuring of the parking area all the way out to the road and reconsidering all that. It was just so comprehensively over our budget that we had to really scale back to what the essence of the core project was which was the lobby improvements, the improvements of the guest experience and the improvements to the facilities.

Certainly in an ideal world and in an ideal situation we would have loved to stay with the whole project. But financially it's not possible. This is not a hotel. This is a 400 - "x" number of rooms, condominiums that have to link together and come to common decision. They get assessed the monies, the cost to these. It's not a hotel that is operating in that way. So please understand the constraints we're under. To absorb the costs that are being discussed here, the cost of the front improvements which we understand it may not look beautiful, pristine as the Hyatt Regency or something like that, but we do think it looks reasonably attractive. I think the maintenance group does an excellent job of maintaining the conditions that are there. It may not be in the year 2000 standards, but given the conditions, I think it looks fairly reasonable. It's not ill-kept. It's kept very nicely, but we would love the opportunity in the future to come back and make some improvements. We'll have to see how the economy and the world transpires over time, but we would like to proceed with the project that will bring better tax base, bring better situations to the guest experience.

Mr. Edlao: Commissioner Kozuki.

Mr. Kozuki: I have a question. I'm not really familiar of the frontage there and I can appreciate the position of the apartment owners and the assessment that's going to be necessary for these improvements. But my concern, I want maybe Milton or Star

since she's more familiar with it. Now these sidewalks, curb and gutters, would that add to the safety of that particular area notwithstanding the aesthetics? I think they're two different issues. I mean, you know, you feel a sidewalk there would?

Ms. Medeiros: Improvements right in front of the hotel?

Mr. Kozuki: Right.

Ms. Medeiros: It is a safety.

Mr. Kozuki: It is a safety issue. It's not just an aesthetic issue then.

Mr. Edlao: Okay, before we go any further, for those of you who just came in, we're still haven't taken our lunch break unfortunately. We thought this was going to be a quick one, but things do happen as usual. So I just want to forewarn you that we still do need to take our lunch break and it will probably not be an hour but maybe like 45 minutes. But I don't know when we're going to break for that. We'll post a sign on the door. Okay, Commissioner Kozuki.

Mr. Kozuki: So, we have a safety feature here. Counsel, can we make it a condition? Because it's now a – I mean, it's a different issue. One for aesthetics that might be a gray area, but if it's a safety issue can we impose a condition to them to put in these improvements?

Mr. Edlao: Commissioner Kozuki, the condition is pretty much spelled out here. It's just a matter of, you know, fine tuning it because my concern was like – the applicant shall submit plans. So in my mind, I want to know if you want just the plans or you want it implemented.

Mr. Kozuki: I want it implemented. It's a safety issue now.

Mr. Edlao: Okay, it's in here so maybe we can discuss that and if that's the wishes – Well, we're just clarifying that one there, Star had wanted to put – Commissioner Medeiros had wanted to add, be specific with the sidewalks, curbs and gutters. My concern was it read that the applicant shall submit plans. It doesn't say anything about implementing. That's, I guess, the discussion going right now.

Mr. Kozuki: That is the issue though, right?

Mr. Edlao: Yeah.

Mr. Kozuki: And Star, you want them not only to submit them but to implement.

Ms. Medeiros: Yeah.

Mr. Piltz: Right.

Mr. Gilbertson: If I could address?

Mr. Edlao: Sure.

Mr. Gilbertson: Currently on the segment of the property in this area here there is curb and gutter already in here. There's a curb and a gutter. There's a sidewalk, it may be asphalt but it is compliant as a sidewalk. It's called a sidewalk. It's used as a sidewalk. The only thing that's lacking in this area that would remedy the situation is a ADA curb cut that would allow people to cross the street to the more currently built new sidewalk across the street.

I guess I take a little issue with us making an arbitrary decision that there's an unsafe condition there. We have not observed it. It's not been called to our attention. We have not had to address anything that's considered unsafe. Now an ADA concern is something that all over the islands we're dealing with ADA upgrades to allow for accessibility and we're more than happy to do that. That was entered into the minutes earlier. I think the issue is really, I think to call something an unsafe condition in this location is not a fair statement in my eyes because it's currently being used. We've not had any issues on site that have, Jerry, that have ever come up regarding that are of our property. So I would ask us not to, please rush the judgement about it being safe or unsafe at a meeting to this effect.

Ms. Medeiros: Okay, with regards to the ADA ramp and because the road is not paved, you know that is a concern as far as the safety if someone is wheelchair bound you're going to put the ramp in, but the road itself, half of the road is paved.

Mr. Gilbertson: It's all paved. Half is in good condition, half is in poor condition.

Ms. Medeiros: Right, right, I'm sorry. Yeah. Very poor condition.

Mr. Gilbertson: I mean, I could probably name a hundred thousand places here on the

islands that we have similar conditions that everybody seems to be living with. So, I just – if I could please just beg a moment longer.

Mr. Edlao: Okay, we got your idea. Commissioner Kozuki.

Mr. Kozuki: So come backing to – lets say I'm not familiar with and depending upon, you know, Milton and Star, the conditions there now. Is there or is there no sidewalk there? Whether it's asphalt or gravel because in my mind, having a regular sidewalk is safer than not having one. It's not an issue whether it's safe for safety. A sidewalk to me is safer period. So is there a sidewalk there currently?

Ms. Lu: On the video.

Mr. Frampton: This is Rory Frampton. Maybe I can just real quickly. Lower Honoapiilani Road is right here and the project frontage goes from this point of the property, this is where the road goes into Embassy Suites, this is where the property starts and it goes up to this – to the Honokowai – the stream. So this is the entire project frontage and there's a sidewalk along this lower section so between the Embassy Suites road and the driveway is where the existing sidewalk is. There is no sidewalk running along this portion of the property.

And what we were asking for was just – there's crosswalks here and then there's sidewalks running along the north side. We were asking for that we just be required to put in the wheelchair ramps from the existing sidewalk which goes into the property to the crosswalks so that you could get from the property to the crosswalks across the street.

Mr. Edlao: Okay, at this point, you know, there's a lot of concerns and I hate to see this project move forward with conditions that the applicant cannot accommodate and I don't want the commission to make decisions that may be unsafe. As Chairman, I'd like to move this forward, however, because of the concerns on both sides I want to be fair. I may want to suggest a site visit. We are going to be scheduling a site visit for the Napilihau Villas later on this afternoon. Maybe we can incorporate a site visit at that time and then we all can see, and I think it would be fair to both parties, both the applicant as well as the commissioners and we can see for our selves and we can go over and make a decision at that time. So consider that Commissioners, you may want to defer this and schedule a site visit.

Mr. Kozuki: Yeah.

Mr. Piltz: Move to defer.

Mr. Kozuki: Second.

Mr. Edlao: Okay, to defer and have a site visit.

Mr. Piltz: With a site visit.

Mr. Edlao: With the Napilihau Villas which we're going to discuss.

Mr. Kozuki: Second to both.

Mr. Edlao: Okay, any discussion?

It was moved by Mr. Piltz, seconded by Mr. Kozuki, then unanimously

**VOTED: To Defer the Matter and Arrange a Site Inspection.
(Assenting - R. Piltz, J. Kozuki, M. Richardson, S. Medeiros, B. Lu,
H. Nascimento)
(Excused - J. Bertram)**

Mr. Edlao: Thank you very much. At this time, we're going to break for lunch.

Mr. Gilbertson: Point of order, can I ask what time that site visit is going to be?

Mr. Edlao: We're going to discuss that later on this afternoon and we'll inform you guys. We're going to take a lunch break until 2:30 p.m.

A recess was called at 1:43 p.m., and the meeting was reconvened at 2:33 p.m.

Mr. Edlao: Commission is back in session.

A. PUBLIC HEARING

- 3. MR. CHRISTOPHER L. HART of CHRIS HART & PARTNERS on behalf of JDI LIMITED PARTNERS requesting a Special Management Area Use Permit for the demolition of existing structures and the construction of the one and two-story Harbor Village project and related parking improvements at 576 Front Street, TMK: 4-6-007: 003, 007, and 010, Lahaina, Island of Maui. (SM1 990003) (A. Cua)**