

COUNCIL OF THE COUNTY OF MAUI

PARKS AND AGRICULTURE COMMITTEE

September 3, 2004

Committee
Report No. 04-152

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Parks and Agriculture Committee, having met on August 17, 2004, makes reference to County Communication No. 04-196, from the Director of Parks and Recreation, transmitting a proposed resolution entitled "APPROVING THE WAIVER OF CERTAIN PARK REQUIREMENTS FOR A PRIVATELY OWNED PARK FOR THE HALE KANANI CONDOMINIUM, KIHEI, MAUI, HAWAII, PURSUANT TO SECTION 18.16.320, MAUI COUNTY CODE".

The purpose of the proposed resolution is to approve the waiver of the requirement to provide comfort stations and parking for a privately owned and maintained park, comprised of approximately 2,255 square feet, in the Hale Kanani condominium complex on South Kihei Road in Kihei (TMK (2) 3-9-016:002, 003 & 006).

Your Committee notes that the waiver of parking and comfort station requirements for the Hale Kanani park is supported by the Director of Parks and Recreation and the Chief of Planning and Development, Department of Parks and Recreation, as evidenced in Exhibit "B" to the proposed resolution.

By correspondence dated August 11, 2004, your Committee requested that the Director of Parks and Recreation correct the tax map key number in Exhibit "A-1" attached to the proposed resolution.

By correspondence dated August 11, 2004, your Committee requested that Dave Mackwell, President, Kihei Community Association (KCA), attend the August 17, 2004 Committee meeting to share the KCA's comments on the proposed park.

By correspondence dated August 13, 2004, the Director of Parks and Recreation transmitted a corrected version of Exhibit "A-1".

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By correspondence dated August 13, 2004, Elizabeth Wood and William Seagers supported the proposed resolution.

By correspondence dated August 16, 2004, your Committee Chair transmitted documents submitted by Barney Eiting of the KCA in support of the proposed resolution.

At its meeting, your Committee met with the Chief of Planning and Development, Department of Parks and Recreation; two Deputy Corporation Counsel; Michele McLean, Land Use Planner, KRS Development, Inc.; and Barney Eiting, member of the Board of Directors and Planning Development Committee, KCA.

There was no public testimony.

Ms. McLean provided your Committee with an aerial map and photographs of the construction location and gave an overview of the proposed Hale Kanani condominium complex. She noted that the complex will consist of 72 long-term residential condominium units and related improvements. Site work on the project commenced in April 2004 and construction is expected to conclude by Summer 2005.

Ms. McLean further stated that the park concept was suggested by the KCA during the Special Management Area process. She explained their plans to expend approximately \$40,000 to develop the park site with amenities such as landscaping, irrigation, benches, and shade trees. The park will be open to the public and will be privately maintained by the homeowner's association.

Mr. Eiting informed your Committee of the importance of having open green space in Kihei, and of distinguishing identity areas for each of the neighborhoods, as reasons why the KCA supports having a park.

The Chief of Parks Planning and Development confirmed that, pursuant to Section 18.16.320 of the Maui County Code, the majority of the park dedication requirements will be fulfilled through a cash contribution of approximately \$618,000, in addition to the dedication of land totaling 2,255 square feet. The bulk of the park assessment, or \$524,055, has been paid in full. The balance of

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approximately \$94,000 will be paid in accordance with Ordinance No. 3158, based upon issuance of the remaining building permits.

Your Committee voted to recommend adoption of the proposed resolution and filing of the communication.

Your Committee is in receipt of a revised proposed resolution incorporating nonsubstantive revisions.

Your Parks and Agriculture Committee RECOMMENDS the following:

1. That Resolution No. _____, as revised herein and attached hereto, entitled "APPROVING THE WAIVER OF CERTAIN PARK REQUIREMENTS FOR A PRIVATELY OWNED PARK FOR THE HALE KANANI CONDOMINIUM, KIHEI, MAUI, HAWAII" be ADOPTED; and
2. That County Communication No. 04-196 be FILED.

Adoption of this report is respectfully requested.

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