

COUNCIL OF THE COUNTY OF MAUI

# PARKS AND AGRICULTURE COMMITTEE

December 3, 2004

**Committee**  
**Report No.**

04-210

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 November 18, 2004, makes reference to County Communication No. 04-206, from the Director of Parks and Recreation, transmitting a proposed resolution entitled "APPROVING THE WAIVER OF CERTAIN PARK REQUIREMENTS FOR A PRIVATELY OWNED PARK PURSUANT TO SECTION 18.16.320, MAUI COUNTY CODE, FOR THE KENOLIO MAUKA SUBDIVISION, KIHEI, MAUI, HAWAII".

The purpose of the proposed resolution is to approve a request by the developer of the Kenolio Mauka Subdivision in Kihei to waive comfort stations and parking requirements for a privately owned and maintained park, comprising approximately 1,833 square feet on Ho`oiki Place, identified for real property tax purposes as Tax Map Key No. (2) 3-9-028:021.

Your Committee notes that the waiver of comfort stations and parking for the park is supported by the Director of Parks and Recreation, the Planning Director, and the Director of Public Works and Environmental Management. Their comments are included as Exhibits "B", "C" and "D", respectively, to the proposed resolution.

By correspondence dated August 31, 2004 and October 11, 2004, your Committee requested that the Kihei Community Association (KCA) provide comments on the proposed resolution.

By correspondence dated October 4, 2004, Dennis Boehlje, Land Use/Project Planner for Betsill Brothers Construction, Inc. (the developer of Kenolio Mauka Subdivision), requested the scheduling of this item.

By correspondence dated October 18, 2004, Betsill Brothers Construction, Inc. transmitted correspondence dated September 29, 2004, from KCA President

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Dave Mackwell to the Chair of your Committee, expressing KCA's support for the proposed resolution.

At its meeting, your Committee met with the Deputy Director of Parks and Recreation; the Chief of Planning and Development, Department of Parks and Recreation; the Assistant Engineering Program Manager, Development Services Administration, Department of Public Works and Environmental Management; a Deputy Corporation Counsel; and Dennis Boehlje, Land Use/Project Planner, Betsill Brothers Construction, Inc.

There was no public testimony.

The Deputy Director of Parks and Recreation provided a brief overview of the park. He stated that the park's size is inadequate to accommodate comfort stations and parking. He added that, pursuant to Section 18.16.320 of the Maui County Code, the developer's park dedication requirements would primarily be fulfilled through a cash contribution of approximately \$12,000.

The Chief of Planning and Development stated that the Administration requested a privately maintained park because the County did not have sufficient personnel to maintain a new park.

Mr. Boehlje provided your Committee with a photograph of the park, which depicts such amenities as barbeque areas and picnic tables. The park, while intended for primary use by the residents in the Kenolio Mauka Subdivision, will be open to the public and privately maintained through a homeowners' association.

The 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:

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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 KENOLIO MAUKA SUBDIVISION, KIHEI, MAUI, HAWAII", be ADOPTED; and
2. That County Communication No. 04-206 be FILED.

Adoption of this report is respectfully requested.

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**JO ANNE JOHNSON** Chair

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**JOSEPH PONTANILLA** Member

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**ROBERT CARROLL** Vice-Chair

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**CHARMAINE TAVARES** Member

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**MICHAEL J. MOLINA** Member