

# PLANNING COMMITTEE

Council of the County of Maui

## MINUTES

February 23, 2012

### Site Inspection

**CONVENE:** 2:00 p.m.

**PRESENT:** VOTING MEMBERS:

Councilmember Donald G. Couch, Jr., Chair  
Councilmember Gladys C. Baisa, Vice-Chair  
Councilmember Elle Cochran  
Councilmember Joseph Pontanilla  
Councilmember Michael P. Victorino  
Councilmember Mike White

NON-VOTING MEMBERS:

Councilmember Robert Carroll

**EXCUSED:** Councilmember Danny A. Mateo

**STAFF:** Kimberley Willenbrink, Legislative Analyst  
Kirstin Hamman, Legislative Attorney  
Clarita Balala, Committee Secretary

Susan Clements, Executive Assistant for Councilmember Couch  
Jordan Molina, Executive Assistant for Councilmember Cochran  
Sarah Freistat Pajimola, Executive Assistant for Councilmember  
Cochran  
Morris Haole, Executive Assistant for Councilmember Carroll

**ADMIN.:** Ann Cua, Current Planning Supervisor, Department of Planning  
Peter Graves, Geographic Information System Analyst, Department of  
Planning  
Jon Gushiken, Geographic Information System Analyst, Department of  
Planning  
Karla H. Peters, Capital Improvements Project Coordinator, Department  
of Parks and Recreation  
John Buck, Administrative Assistant, Office of the Mayor  
Michael J. Hopper, Deputy Corporation Counsel, Department of the  
Corporation Counsel

**OTHERS:** Isaac Hall, Esq., Hui Alanui O Makena (Item No. 21)  
Daniel Kanahale (Item No. 21)  
Lucienne de Naie

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Thomas Croly  
Gwen Ohashi Hiraga, Munekiyo & Hiraga, Inc.  
B. Martin Luna, Esq.  
Becky Broudy Collins, Project Manager, ATC Makena Holdings, LLC  
(3) additional attendees

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**ITEM NO. 21: MAKENA RESORT CHANGE IN ZONING - COMPLIANCE WITH CONDITIONS RELATING TO ACCESS FOR PARKS AND RECREATION (CC 11-220)**

**ITEM NO. 28: ANNUAL COMPLIANCE REPORT – CHANGE IN ZONING CONDITIONS (ORDINANCE 3613 (2009)) FOR MAKENA RESORT AREA (CC 12-16)**

The Committee assembled at the Makena Beach and Golf Resort cobblestone pedestrian path near the south end of Maluaka Beach.

Chair Couch convened the site inspection to allow the Committee members an opportunity to view the area intended for park use pursuant to Condition 32, Conditions of Zoning, Ordinance 3613 (2009) (“Ordinance”). The Committee also viewed the area currently proposed for park use by ATC Makena Holdings, LLC and the surrounding areas. To avoid pedestrian traffic, Chair Couch directed the Committee to congregate at an existing park situated between the two subject areas.

Your Committee received public testimony from two individuals.

Isaac Hall, speaking on behalf of Dana Naone Hall, stated that the coastal bluff just south of the existing park is the area that was intended for park use by the Ordinance. He noted that the area has long been used by local residents and indicated the existence of a trail leading north along the coast to a black sand beach.

Daniel Kanahale also testified that the area south of the existing park is the area that was intended for park use.

There being no further testifiers, Chair Couch closed public testimony at 2:10 p.m.

The Current Planning Supervisor, Department of Planning, stated that expanding the existing park southward to comprise a total of 1.5 acres, as required by the Ordinance, would place a portion of the park directly onto the golf course. She noted that a Department of Planning Geographic Information System (GIS) Analyst could demarcate the boundaries on a map at a future Planning Committee meeting using GIS technology that the Department did not have in 2004.

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Councilmember Pontanilla noted the importance of preserving old coastal trails. The Current Planning Supervisor confirmed the existence and location of a trail along the coast of the area intended for park use by the Ordinance.

The Committee discussed zoning issues and permitted uses relating to park designations. The Current Planning Supervisor explained that the area intended for park use by the Ordinance is currently zoned PK-4. The PK-4 golf course park district only allows golf courses and historic buildings, structures or sites as permitted uses. Therefore, in order for the area to be used as a park, a change in zoning to PK-1 park district would be required.

The Capital Improvements Project Coordinator, Department of Parks and Recreation, stated that the Department is currently working with ATC Makena Holdings, LLC, to comply with the conditions of the Ordinance.

Chair Couch recessed the inspection at 2:30 p.m. so that the Committee could view the area intended for park use by the Ordinance.

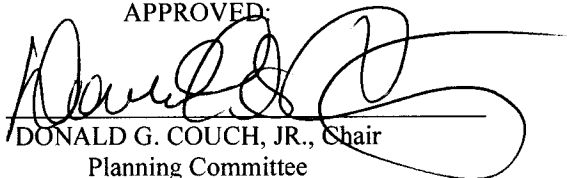
Chair Couch reconvened the inspection at 2:36 p.m. at the area intended for park use. He noted that a foliage barrier could be erected to protect the area from golf balls straying from the adjacent golf course. He also indicated that an existing pathway provides shoreline access for the public.

Chair Couch recessed the inspection at 2:40 p.m. so that the Committee could view the area currently proposed by ATC Makena Holdings, LLC for park use.

Chair Couch reconvened the inspection at 2:47 p.m. at the proposed area. The Current Planning Supervisor confirmed that the area is zoned Hotel District, which allows for park use. Locating the park in this area would satisfy the conditions of the Ordinance.

There being no further questions or discussion, Chair Couch adjourned the inspection at 2:50 p.m.

APPROVED:



DONALD G. COUCH, JR., Chair  
Planning Committee

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