

**PARKS AND ECONOMIC DEVELOPMENT COMMITTEE**  
Council of the County of Maui

**MINUTES**

**July 6, 2006**

**Site Inspection**

**CONVENE:** 4:01 p.m.

**PRESENT:** Councilmember Jo Anne Johnson, Chair  
Councilmember Charmaine Tavares, Vice-Chair  
Councilmember Michelle Anderson, Member (arr. at 4:09 p.m.)  
Councilmember Robert Carroll, Member

**EXCUSED:** Councilmember Danny A. Mateo, Member

**STAFF:** Shelly Espeleta, Legislative Analyst  
Pauline Martins, Committee Secretary

**ADMIN.:** Patrick Matsui, Chief of Planning and Development, Department of Parks and Recreation  
John D. Kim, Deputy Corporation Counsel, Department of the Corporation Counsel

**OTHERS:** **Item 15:** Gwen Ohashi Hiraga, Project Manager, Munekiyo & Hiraga, Inc.  
George A. Rixey, Owner's Representative, Artel, Inc.  
Geraldine Carroll

**Item 28:** Jo Ann Fujita, Vice-President, Puanani O Kula Nurseries  
Herman Patao, Superintendent, Puanani O Kula Nurseries  
Geraldine Carroll

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**PED-15 BEACH ACCESS EASEMENT (NORTH KIHEI ROAD, MAUI)**

The Committee assembled at 4:01 p.m. at the vacant lot situated adjacent to the Kihei Sands Condominium on North Kihei Road in Kihei (TMK: (2) 3-8-13:012).

Chair Johnson convened the site inspection and explained that the purpose of the inspection is to accept a ten-foot wide nonexclusive easement, comprised of approximately 3,093 square feet, to be used as a non-vehicular pedestrian walkway for public beach access from North Kihei Road in Kihei.

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There was no public testimony.

Gwen Ohashi Hiraga provided a brief historical overview of the matter. She noted that the County's Department of Planning recommended approval of the applicant's request for a community plan amendment from Business/Commercial to Hotel, and a change in zoning from B-R Resort Commercial District to H-M Hotel District, to develop a two-lot residential subdivision at the subject property, subject to certain conditions. She further noted that the Maui Planning Commission recommended that the community plan amendment be further amended to Single-Family Residential and a change in zoning be further amended to R-3 Residential District at its meeting of September 25, 2001. A prior Council's Land Use Committee added a condition of zoning that required that a beach access plan be submitted to the Council for approval prior to final subdivision approval at its meeting of March 11, 2002.

Ms. Hiraga stated that the parcel's current owner, Nellie's on Maui, Ltd., is complying with the conditions of zoning per Condition No. 3 of Ordinance No. 3060, by providing a beach access plan to be approved by the Council. She further stated that the beach access was already in existence when the former Kealia Beach Plaza was situated on the parcel.

George Rixey noted the boundaries of the beach access easement. He stated that in compliance with the new shoreline setback laws, and due to an encroachment onto the subject property by the neighboring Kihei Sands Condominium of approximately four feet, a newly built, eight-foot wide sidewalk will be constructed that will more easily accommodate wheelchairs.

Your Committee discussed the availability of parking for the beach access noting that without adequate parking, the beach access may not be used by the public.

Your Committee further discussed that the beach access should provide the same or greater number of parking stalls than was originally provided by the former Kealia Beach Plaza.

Mr. Rixey discussed the State Department of Transportation's (State DOT) plans to reconfigure the entire intersection involving North Kihei Road, South Kihei Road, and Piilani Highway. He indicated that the State DOT's plan to disconnect a portion of South Kihei Road leading onto North Kihei Road will leave the existing paved roadway available for beach access parking. He advised against having a large and wide-spread beach access parking area due to increased liability and safety issues.

There being no further questions or discussion, Chair Johnson recessed the inspection at 4:21 p.m.

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**PED-28                    ACCEPTING LAND DEDICATION FOR PARK AND  
PLAYGROUND PURPOSES AND WAIVING CERTAIN PARK  
DEDICATION REQUIREMENTS FOR THE ALII VILLAGE  
SUBDIVISION (KIHEI)**

Chair Johnson reconvened the inspection at 4:45 p.m. at the park situated in the Alii Village Subdivision, at the corner of Kulanihako'i Street and Hako'i Hema Place in Kihei, comprised of approximately 9,027 square feet (TMK: (2) 3-9-01:155). The Chair explained that the purpose of the inspection is to accept the dedication of a park and approve the waiver of the requirements to provide comfort stations and parking in the referenced park.

There was no public testimony.

Jo Ann Fujita provided a brief overview of the park's uses and noted the park's boundaries. She stated that the subdivision consists of 31 lots, one of which is dedicated for park use. She further stated that Kiawe Partners, the developer of the subdivision, was prepared to pay the park assessment fee to satisfy their park dedication requirements; however, residents of the community were in favor of having a park.

Ms. Fujita acknowledged that the park will be used primarily as a rest stop for bikers and pedestrians of the future North-South Collector Road. She added that Puanani O Kula Nurseries has been responsible for the periodic maintenance and upkeep of the park on behalf of Kiawe Partners.

The Chief of Planning and Development stated that the landscaping plan for the park includes a water fountain and a few picnic benches. He further stated that although Puanani O Kula Nurseries has been cleaning the park periodically, the developer is still ultimately responsible for its maintenance. He noted that once the park is dedicated to the County, responsibility for the park's upkeep will also transfer to the County.

Your Committee was concerned with the park's appearance, specifically stating that the grade level of the lot appeared to be uneven and the grass appeared to be dead in some areas. Your Committee agreed that the appearance of the park should be dramatically improved prior to the County's acceptance.

Herman Patao stated that the park will be re-grassed along the pathway and additional irrigation will be installed to remedy the park's current appearance. He further stated that the berm will be leveled off and flattened once the North-South Collector Road is in use.

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There being no further questions or discussion, Chair Johnson adjourned the inspection at 4:57 p.m.

APPROVED:



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JO ANNE JOHNSON, Chair  
Parks and Economic Development Committee

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