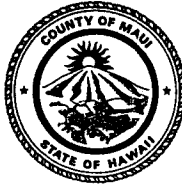


ALAN M. ARAKAWA
Mayor



GLENN T. CORREA
Director

JOHN L. BUCK III
Deputy Director

(808) 270-7230
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DEPARTMENT OF PARKS & RECREATION

700 Hali'a Nakoa St., Unit 2, Wailuku, Hawaii 96793

March 18, 2004

The Honorable Alan M. Arakawa
Mayor, County of Maui
Wailuku, Hawaii 96793

For transmittal to:

Wayne Nishiki, Chair
Planning and Land Use Committee
200 S. High Street
Wailuku, HI 96793

APPROVED FOR TRANSMITTAL

[Signature]
Mayor
Date 3/18/04

Dear Council Nishiki:

**SUBJECT: PLU 37 Rezoning of Makena Resort
Park Related Conditions**

I am submitting this transmittal to you in regards to abovementioned subject. During your committee meeting on Tuesday, March 16, 2004, you had recommended several conditions to be placed on Makena Resort, as part of the conditions for rezonning approval.

We are concerned about the negative impact these conditions will have, especially to the Department of Parks and Recreation. We understand your reasoning for the conditions; however, we do have concerns.

1. Are the proposed conditions additional requirements then what would be required by County ordinances, when Makena Resort goes through the SMA and Building approval? As we stated before, their Park Assessment requirement, based on the proposed units, is 9.1 million dollars or 17.5 acres. Their proposed 31.5 acres for parks is in excess of their required 17.5.
2. As state, we are afraid the proposed conditions will tie our hands when it is time to collect the park assessment from the developer. As we are all aware of, by County Code, the Director has a choice of cash/land or a combination. With the proposed conditions, we are afraid we will not have the flexibility.
3. Granted there is a need for additional parking at all of our parks. However you have two conditions which the County of Maui cannot guarantee. None of our current parking lots or even park facilities are open 24 hours a day. Having a condition calling for a parking lot to be open 24 hours a day is not in the best interest for the County of Maui.

*Submitted by John Buck
(Recd 3/18/04 plu mtg)*

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OFFICE OF THE MAYOR

4. Another condition related to additional parking, is in regards to having the parking for noncommercial use. Again, the County of Maui would have a very difficult time in enforcing this. The only guarantee of noncommercial use of the parking lots, is to have the County Council rewrite the Ordinances to ban commercial activities from this area.
5. We do have some major issues with the development of a pathway dedicated to the County which is to be open 24 hours a day. Again, the County of Maui could not guarantee the walkway could be open 24 hours a day, due to liability concerns for the County of Maui. It is also felt if a path way is developed to six feet wide, the cliff would need to be cut to provide the requested pathway. The Department has concerns in regards to erosion and liability for the County.
6. Makena Landing currently is being impacted by the current usage. Because of the usage, the park is deteriorating at an alarming rate. Adding additional parking to the Landing would impact the area more. We recommend as part of the conditions that they work with the Department to begin a renovation and beautification project to restore the park to a pristine condition, including the possibility of picnic tables and grills.
7. We support the expanding the parking lot across from Keawalai Church. However, we feel because of space constraints, you would not be able to get an additional 25 stalls. There is room for some additional parking. However, we do not support the parking lot being open 24 hours a day.
8. The department does support the additional parking by expanding the parking lot at the south end of Maluaka Beach Park. Again we do not support the lot being open 24 hours.

DEPARTMENT OF PARKS AND RECREATION RECOMMENDATIONS:

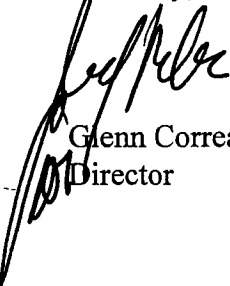
1. Makena Resorts pays for a study to develop a master plan for the State of Hawaii. This study is to include Big, Little and Black Sand beaches. We would like to see the study to be initiated and hopefully completed by the end of one year from the approval of zoning. If the study indicates a need for additional parking in these areas, then the Makena Resort, working with the State of Hawaii, build the additional parking in the state park area for the Sate of Hawaii. If additional parking is needed and available land within the State Park which could be utilized for parking is exhausted; Makena Resort will identify areas within their project area and developed additional parking.
2. Makena Resort be required to begin the renovation project in the beautification of the park at Makena Landing, as per various meetings between the Department of Parks and Recreation and Makena Resort. Makena Resort paying for and doing the work.

Wayne Nishiki, Chair
March 18, 2004
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3. Makena Resort expand the parking lot across from Keawalai church in the space which is allowable without disturbing any archaeological sites.
4. Makena Resort adds additional parking at the south end of Maluaka Beach by expanding the existing parking lot located in this area.
5. All existing and future park lands within the project area be maintain in perpetuity by Makena Resort.

I would like to thank you for the opportunity to express our concerns and hope you and your committee will take into consideration, our recommendations and concerns in the abovementioned subject.

Sincerely,



Glenn Correa
Director