

✓

April 14, 2004

MEMO TO: Members of the Planning and Land Use Committee

F R O M: Wayne K. Nishiki, Chair
Planning and Land Use Committee

SUBJECT: **CHANGE IN ZONING FOR MAKENA RESORT** (PLU-37)

At the Committee's reconvened meeting of April 12, 2004, the applicant submitted a document entitled "PROPOSED PARK CONDITIONS".

I would be pleased to accept a motion to amend the applicant's proposal, as reflected in the attached document "PROPOSED PARKS CONDITIONS – REVISED". Proposed deletions from the applicant's proposal are bracketed; proposed additions are underscored.

There are two major substantive differences between the applicant's proposal and the attached document:

1. The developer's costs would not be counted toward park dedication requirements.
2. The developer would be required to provide perpetual traversable lateral shoreline access, just as applicant Earl Stoner was required to do for his Makena property in 2002, as referenced by the Corporation Counsel during the Committee's reconvened meeting of April 12, 2004.

Thank you for your consideration.

plu:lfr:37amc17:dr

Attachment

cc: Michael W. Foley, Planning Director
Brian T. Moto, Corporation Counsel

PROPOSED PARKS CONDITIONS – REVISED
April 14, 2004

Developer shall develop an expansion of the beach park at the south end of Maluaka Beach, such that the beach park shall comprise of at least 1.5 acres of land area [, and shall be accepted by the County of Maui] for public use and beach access. The developer shall submit the necessary applications required for the expansion within six (6) months of the approval of the change in zoning. The land area [and development cost of the expansion] shall be applied as credit toward satisfying a portion of applicable [the] park dedication requirements [of Section 18.16.320 of the Maui County Code for future development of the Makena Resort].

To the extent practicable, the developer shall provide, in perpetuity, traversable lateral shoreline access in the area between the shoreward boundary and the mauka boundary of the Makena Resort Area.

Within one (1) year of the approval of the change in zoning, developer shall initiate and fund a plan for the development of the State Park at Makena for the State Department of Land and Natural Resources or the County of Maui, Department of Parks and Recreation. The plan shall incorporate recreational, landscaping, parking, and facility concepts as a guide for future development of the park. [The cost of the plan shall be applied as credit toward satisfying the park dedication requirements of Section 18.16.320 of the Maui County Code for future development of the Makena Resort.]