

COUNCIL OF THE COUNTY OF MAUI
LAND USE COMMITTEE

July 8, 2014

Committee
Report No. _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Land Use Committee, having met on June 18, 2014, makes reference to County Communication 14-114, from Councilmember Michael P. Victorino, transmitting a proposed resolution entitled "REFERRING TO THE MAUI PLANNING COMMISSION A PROPOSED BILL TO CHANGE ZONING FROM R-3 RESIDENTIAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR PROPERTY SITUATED AT TAX MAP KEY (2) 3-8-046:016, WAILUKU, MAUI, HAWAII".

The purpose of the proposed resolution is to refer to the Maui Planning Commission a proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM R-3 RESIDENTIAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR PROPERTY SITUATED AT TAX MAP KEY (2) 3-8-046:016, WAILUKU, MAUI, HAWAII". The purpose of the proposed bill is to change the zoning for the subject parcel of approximately two acres from R-3 Residential District to P-1 Public/Quasi-Public District ("subject property").

Your Committee notes the County granted a lease of the subject property for a term of 50 years to Ka Lima O Maui, Ltd. on July 6, 2009. The lease states the premises are to be used for the purpose of enhancing lives through self-reliance for adults with disabilities who are economically disadvantaged by providing vocational programs, adult health programs, and housing opportunities, including the construction of up to three additional structures on the premises.

The Executive Director of Ka Lima O Maui, Ltd. stated the requested change in zoning will allow the organization to move forward with its plans to construct buildings for office and program purposes on the subject parcel. She said Ka Lima O Maui, Ltd. has secured funding from the State Legislature and its own capital campaign for this purpose.

The Planning Director stated the Department supports the change in zoning for the project.

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Your Committee voted 8-0 to recommend adoption of the proposed resolution. Committee Chair Carroll, Vice-Chair Guzman, and members Cochran, Couch, Crivello, Hokama, White, and Victorino voted "aye". Committee member Baisa was excused.

Your Land Use Committee RECOMMENDS that Resolution _____, attached hereto, entitled "REFERRING TO THE MAUI PLANNING COMMISSION A PROPOSED BILL TO CHANGE ZONING FROM R-3 RESIDENTIAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR PROPERTY SITUATED AT TAX MAP KEY (2) 3-8-046:016, WAILUKU, MAUI, HAWAII", be ADOPTED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



ROBERT CARROLL, Chair

Resolution

No. _____

REFERRING TO THE MAUI PLANNING
COMMISSION A PROPOSED BILL TO CHANGE
ZONING FROM R-3 RESIDENTIAL DISTRICT TO P-1
PUBLIC/QUASI-PUBLIC DISTRICT FOR PROPERTY
SITUATED AT TAX MAP KEY (2) 3-8-046:016,
WAILUKU, MAUI, HAWAII

WHEREAS, the Council is considering a Change in Zoning from R-3 Residential District to P-1 Public/Quasi-Public District for property consisting of approximately 2.0 acres situated at Wailuku, Maui, Hawaii, identified for real property tax purposes as Tax Map Key (2) 3-8-046:016; and

WHEREAS, Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended, require that the appropriate planning commission review proposed land use ordinances and amendments to the General Plan and provide findings and recommendations to the Council; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby refers the proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM R-3 RESIDENTIAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR PROPERTY SITUATED AT TAX MAP KEY (2) 3-8-046:016, WAILUKU, MAUI, HAWAII", a copy of which is attached hereto as Exhibit "1" and made a part hereof, to the Maui Planning Commission for appropriate action pursuant to Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended; and
2. That it respectfully requests that the Maui Planning Commission transmit its findings and recommendations to the Council as expeditiously as possible; and
3. That certified copies of this resolution be transmitted to the Mayor, the Planning Director, the Maui Planning Commission, and Ka Lima O Maui, Ltd.

APPROVED AS TO FORM AND LEGALITY



JAMES A. GIROUX
Deputy Corporation Counsel
County of Maui

ORDINANCE NO. _____

BILL NO. _____ (2014)

A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM R-3 RESIDENTIAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR PROPERTY SITUATED AT TAX MAP KEY (2) 3-8-046:016, WAILUKU, MAUI, HAWAII

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Pursuant to Chapters 19.31 and 19.510, Maui County Code, a change in zoning from R-3 Residential District to P-1 Public/Quasi-Public District is hereby granted for that certain parcel of land situated at Wailuku, Maui, Hawaii, and identified for real property tax purposes as Tax Map Key (2) 3-8-046:016, comprising approximately 2.0 acres, and more particularly described in Exhibit "A", attached hereto and made a part hereof, and in Land Zoning Map No. _____, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 2. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

JAMES A. GIROUX
Deputy Corporation Counsel
County of Maui
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EXHIBIT " 1 "

Maui Memorial Hospital Lot
Description of Lot B-1-A-2

Land situated on the south side of Kaahumanu Avenue
(F.A.P. No. 032-1(3)) at Owa, Kalua and Wailuku Commons,
Wailuku, Maui, Hawaii

Being a portion of R.P. 1996, L.C. Aw. 420 to Kuihelani;
and R.P. 4475, L.C. Aw. 7713 Apana 23 to V. Kamamalu,

Beginning at a pipe at the northwest corner of this lot,
the coordinates of said point of beginning referred to Government
Survey Triangulation Station "LUKE", being 2,658.32 feet North
and 2,145.63 feet East and running by azimuths measured clockwise
from True South:

1. 270° 00' 15" 125.47 feet along Lot B-1-A-1 of Maui
Memorial Hospital Lot to a
pipe;
2. 6° 21' 30" 63.00 feet along same to a pipe;
3. 354° 02' 249.27 feet along same to a pipe;
4. 1° 45' 30" 185.77 feet along same to a pipe;
5. 324° 51' 139.50 feet along same to a pipe;
6. 354° 12' 12.25 feet along same to a pipe;
7. 95° 49' 30" 221.44 feet along same to a pipe;
8. 180° 00' 15" 600.00 feet along the remainder of R.P. 4475,
L.C. Aw. 7713 Apana 23 to V.
Kamamalu and R.P. 1996, L.C. Aw.
420 to Kuihelani to the point of
beginning and containing an Area
of 2.000 Acres.

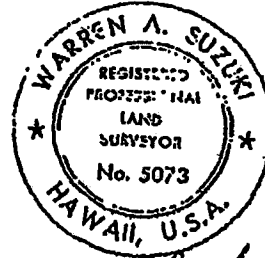
TOGETHER, WITH Roadway Easement "H" (20-foot wide) over and across a
portion of Lot B-1-A-1 and being more particularly described as follows:

Beginning at a point at the most northerly corner of this ease-
ment, the azimuth and distance from the northeast corner of the above
described lot being 6° 21' 30" 7.19 feet, the coordinates of said
point of beginning referred to Government Survey Triangulation Station
"LUKE", being 2,651.17 feet North and 2,270.30 feet East and running
by azimuths measured clockwise from True South:

1. 305° 30' 328.20 feet over and across a portion of
Lot B-1-A-1 of Maui Memorial
Hospital Lot;

EXHIBIT "A"

2. 00° 00' 15" 24.57 feet along Lot B-2 of Maui Memorial Hospital Lot;
3. 125° 30' 331.31 feet over and across a portion of Lot B-1-A-1 of Maui Memorial Hospital Lot;
4. 186° 21' 30" 22.90 feet along Lot B-1-A-2 of Maui Memorial Hospital Lot to the point of beginning and containing an Area of 6,596 square feet, more or less.



Warren A. Suzuki
Registered Land Surveyor
Certificate No. 5073