

**COUNCIL OF THE COUNTY OF MAUI**  
**LAND USE COMMITTEE**

August 7, 2015

**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 July 22, 2015, makes reference to County Communication 15-116, from the Planning Director, transmitting 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 WAILUKU, MAUI, HAWAII."

The purpose of the proposed bill is to grant a request from Ka Lima O Maui, Ltd., for a Change in Zoning from R-3 Residential District to P-1 Public/Quasi-Public District for approximately two acres of County-owned land on Mahalani Street, Wailuku, Maui, Hawaii, identified for real property tax purposes as tax map key (2) 3-8-046:016. The Change in Zoning would facilitate the renovation of a 2,500-square-foot building, the development of a new office building, and the development of affordable housing (cumulatively, the "project").

Your Committee notes the subject property is located near the Maui Memorial Medical Center, Wailuku Police Station, Kaiser Permanente Maui Lani Medical Office, and the J. Walter Cameron Center. The subject property is in the Urban State Land Use District, within the Maui Island Plan's Urban Growth Boundary, and designated Public/Quasi-Public in the Wailuku-Kahului Community Plan.

Your Committee notes the Council initiated the Change in Zoning by Resolution 14-78, adopted on July 8, 2014.

Your Committee further notes the County granted a 50-year lease for the property to Ka Lima O Maui, Ltd. on July 6, 2009. The lease allows the property "to be used solely for the purpose of enhancing lives through self-reliance for adults with disabilities who are economically

**COUNCIL OF THE COUNTY OF MAUI**  
**LAND USE COMMITTEE**

Page 2

**Committee**  
**Report No.** \_\_\_\_\_

disadvantaged by providing vocational programs, adult day health programs, and residential housing opportunities, including the construction of up to three additional structures on the premises.”

Chantal Ratte, Executive Director, Ka Lima O Maui, Ltd., said the existing building was constructed in 1993. The building currently houses an adult day health program, which would continue to operate there. Renovations to the building would make the site safer and provide second-floor accessibility in compliance with Americans with Disabilities Act requirements.

According to the “MAUI COUNTY PLANNING DEPARTMENT’S REPORT TO THE MAUI PLANNING COMMISSION NOVEMBER 25, 2014 MEETING,” the affordable housing component of the development would be processed by separate application, pursuant to Section 201H-38, Hawaii Revised Statutes, subject to Council approval. The proposed project would provide 16 single-occupancy, one-bedroom apartments, including a manager’s unit. The affordable housing units would accommodate disabled or economically challenged individuals.

A representative of Ka Lima O Maui, Ltd. said the organization had subsequently decided to reduce the number of proposed housing units to eight; seven would be affordable and one would be for a resident manager.

Your Committee notes the project would implement the following General Plan goals, objectives, and policies:

- “Health and social services in Maui County will fully and comprehensively serve all segments of the population.” (Countywide Policy Plan, page 55.)
- “In cooperation with the Federal and State governments and nonprofit agencies, broaden access to social and healthcare services and expand options to improve the overall wellness of the people of Maui County.” (Countywide Policy Plan, page 55.)

**COUNCIL OF THE COUNTY OF MAUI**  
**LAND USE COMMITTEE**

Page 3

**Committee**  
**Report No.** \_\_\_\_\_

- “Strengthen partnerships with government, nonprofit, and private organizations to provide funding and to improve counseling and other assistance to address substance abuse, domestic violence, and other pressing social challenges.” (Countywide Policy Plan, page 55.)
- “Support improved social, healthcare, and governmental services for special needs populations.” (Countywide Policy Plan, page 56.)
- “Ensure that an adequate and permanent supply of affordable housing, both new and existing units, is made available for purchase or rental to our resident and/or workforce population, with special emphasis on providing housing for low- to moderate-income families, and ensure that all affordable housing remains affordable in perpetuity.” (Countywide Policy Plan, page 57.)
- “Provide for a range of senior-citizen and special needs housing choices on each island that affordably facilitates a continuum of care and services.” (Countywide Policy Plan, page 57.)
- “Improve communication, collaboration, and coordination among housing providers and social-service organizations.” (Countywide Policy Plan, page 58.)
- “Develop public-private and nonprofit partnerships that facilitate the construction of quality affordable housing.” (Countywide Policy Plan, page 59.)
- “Maui will have safe, decent, appropriate, and affordable housing for all residents developed in a way that contributes to strong neighborhoods and a thriving island community.” (Maui Island Plan, page 5-6.)

**COUNCIL OF THE COUNTY OF MAUI**  
**LAND USE COMMITTEE**

Page 4

**Committee**  
**Report No.** \_\_\_\_\_

- “Ensure that residents with special needs have access to appropriate housing.” (Maui Island Plan, page 5-9.)
- “Ensure and facilitate programs to assist those with special needs from becoming homeless.” (Maui Island Plan, page 5-9.)
- “A sufficient supply and choice of attractive, sanitary and affordable housing accommodations for the broad cross section of residents, including the elderly.” (Wailuku-Kahului Community Plan, page 19.)

Your Committee questioned whether the planned housing fits within the permitted uses for the proposed P-1 Public/Quasi-Public District zoning. The Planning Director said it is clear the proposed housing is related to the nonprofit organization’s function and would be part of its facility. He opined the proposed affordable housing could fall within a number of permitted uses authorized by Section 19.31.020, Maui County Code, the clearest of which would be “facilities for nonprofit organizations.” He noted the project, including the housing, would support Ka Lima O Maui, Ltd.’s mission to help disabled and economically disadvantaged persons.

Your Committee voted 5-0 to recommend passage of the proposed bill on first reading and filing of the communication. Committee Chair Carroll and members Baisa, Cochran, Couch, and Crivello voted “aye.” Committee Vice-Chair Victorino and member Guzman were excused.

Your Committee is in receipt of a revised proposed bill, entitled “A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM R-3 RESIDENTIAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR APPROXIMATELY TWO ACRES OF COUNTY-OWNED PROPERTY ON MAHALANI STREET, WAILUKU, MAUI, HAWAII, LEASED TO KA LIMA O MAUI, LTD.,” approved as to form and legality by the Department of the Corporation Counsel, incorporating nonsubstantive revisions.

Your Land Use Committee **RECOMMENDS** the following:

**COUNCIL OF THE COUNTY OF MAUI**  
**LAND USE COMMITTEE**

Page 5

**Committee**  
**Report No.** \_\_\_\_\_

1. That Bill \_\_\_\_\_ (2015), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM R-3 RESIDENTIAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR APPROXIMATELY TWO ACRES OF COUNTY-OWNED PROPERTY ON MAHALANI STREET, WAILUKU, MAUI, HAWAII, LEASED TO KA LIMA O MAUI, LTD.," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 15-116 be FILED.

COUNCIL OF THE COUNTY OF MAUI  
**LAND USE COMMITTEE**

Page 6

**Committee**  
**Report No.** \_\_\_\_\_

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

  
\_\_\_\_\_  
ROBERT CARROLL, Chair

lu:cr:15011aa:cmn

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2015)

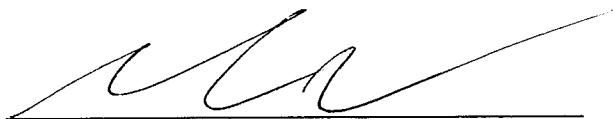
A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM R-3  
RESIDENTIAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR  
APPROXIMATELY TWO ACRES OF COUNTY-OWNED PROPERTY ON  
MAHALANI STREET, WAILUKU, MAUI, HAWAII,  
LEASED TO KA LIMA O MAUI, LTD.

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 by 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 L-376, 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:



MICHAEL J. HOPPER  
Deputy Corporation Counsel  
County of Maui

lu:misc:011abill01

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-feet wide) over and across a  
portion of Lot B-1-A-1 and being more particularly described as follows:

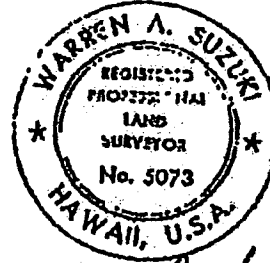
Beginning at a point at the most northerly corner of this ease-  
ment, the azimuth and distance from the northeast corner of the above  
described lot being 6° 21' 30" 7.19 feet, the coordinates of said  
point of beginning referred to Government Survey Triangulation Station  
"LUKE", being 2,651.17 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