

DANNY A. MATEO
County Clerk



Lu-20

JOSIAH K. NISHITA
Deputy County Clerk

OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

May 23, 2016

Honorable Robert Carroll, Chair
Land Use Committee
Council of the County of Maui
Wailuku, Hawaii 96793

Dear Chair Carroll:

Respectfully transmitted is a copy of COUNTY COMMUNICATION NO. 16-97, from Councilmember Gladys C. Baisa, that was referred to your Committee by the Council of the County of Maui at its meeting of May 20, 2016.

Respectfully,

A handwritten signature in black ink that reads "Danny A. Mateo". The signature is written in a cursive style with a long horizontal stroke at the end.

DANNY A. MATEO
County Clerk

/jym

Enclosure

cc: Director of Council Services

OFFICE OF THE
COUNTY COUNCIL

2016 MAY 23 AM 9:17

RECEIVED

Council Chair
Mike White

Vice-Chair
Don S. Guzman

Presiding Officer Pro Tempore
Michael P. Victorino

Councilmembers
Gladys C. Baisa
Robert Carroll
Elle Cochran
Don Couch
Stacy Crivello
Riki Hokama



Director of Council Services
David M. Raatz, Jr., Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

May 11, 2016

RECEIVED
2016 MAY 13 AM 10:25
OFFICE OF THE
COUNTY CLERK

The Honorable Mike White
Council Chair
County of Maui
Wailuku, Hawaii 96793

Dear Chair White:

**SUBJECT: RESOLUTION TO INITIATE A COMMUNITY PLAN
AMENDMENT AND A CHANGE IN ZONING FOR
0.049 ACRE IN LAHAINA, MAUI, HAWAII (PAF 16-069)**

May I request the attached proposed resolution, entitled "REFERRING TO THE MAUI PLANNING COMMISSION A PROPOSED BILL TO CHANGE THE WEST MAUI COMMUNITY PLAN DESIGNATION FROM PARK TO BUSINESS AND A PROPOSED BILL TO CHANGE ZONING FROM PK GENERAL PARK DISTRICT TO B-2 COMMUNITY BUSINESS DISTRICT FOR PROPERTIES SITUATED AT TAX MAP KEYS (2) 4-4-001:010 (POR.) AND (2) 4-4-014:006 (POR.), LAHAINA, MAUI, HAWAII," be placed on the next Council meeting agenda.

Sincerely,

A handwritten signature in cursive script that reads "Gladys C. Baisa".

GLADYS C. BAISA
Councilmember

paf:scj:16-069c

Attachment

COUNTY COMMUNICATION NO. 16-97

Resolution

No. _____

REFERRING TO THE MAUI PLANNING COMMISSION A
PROPOSED BILL TO CHANGE THE WEST MAUI
COMMUNITY PLAN DESIGNATION FROM PARK TO
BUSINESS AND A PROPOSED BILL TO CHANGE ZONING
FROM PK GENERAL PARK DISTRICT TO B-2 COMMUNITY
BUSINESS DISTRICT FOR PROPERTIES SITUATED AT TAX
MAP KEYS (2) 4-4-001:010 (POR.) AND (2) 4-4-014:006
(POR.), LAHAINA, MAUI, HAWAII

WHEREAS, the Council is considering a Community Plan Amendment to the West Maui Community Plan from Park to Business and a Change in Zoning from PK General Park District to B-2 Community Business District for properties consisting of 0.049 acre situated at Lahaina, Maui, Hawaii, identified for real property tax purposes as tax map keys (2) 4-4-001:010 (por.) and (2) 4-4-014:006 (por.); and

WHEREAS, in order to create a contiguous public beach park at the northern end of the Kaanapali North Beach Resort, the Nunes, Charles J. Jr. and A. M. Trust agreed to a land exchange with the developers of the Kaanapali North Beach Resort Park involving the transfer of unencumbered land area equal to the original property owned by the Nunes, Charles J. Jr. and A. M. Trust; and

WHEREAS, during a 2008 Community Plan Amendment and Change in Zoning for the properties a five-foot wide easement for utility purposes was anticipated and accommodated in the land area but during the subdivision process the required utility easement was increased to approximately ten feet wide, resulting in less unencumbered land area to be transferred to the Nunes, Charles J. Jr. and A. M. Trust; and

WHEREAS, an approximately six-foot wide area totaling 0.049 acre is being requested to be changed from Park to Business on the West Maui Community Plan and a Change in Zoning from PK General Park District to B-2 Community Business District; 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

Resolution No. _____

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 AMEND THE WEST MAUI COMMUNITY PLAN AND LAND USE MAP FROM PARK TO BUSINESS, FOR PROPERTIES SITUATED AT LAHAINA, 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;
2. That it hereby refers the proposed bill, entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM PK GENERAL PARK DISTRICT TO B-2 COMMUNITY BUSINESS DISTRICT FOR APPROXIMATELY 0.049 ACRE FOR PROPERTIES SITUATED AT LAHAINA, MAUI, HAWAII," a copy of which is attached hereto as Exhibit "2" 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;
3. That it respectfully requests that the Maui Planning Commission transmit its findings and recommendations to the Council as expeditiously as possible; and
4. That certified copies of this resolution be transmitted to the Mayor, the Planning Director, the Maui Planning Commission, and the Nunes, Charles J. Jr. and A. M. Trust.

APPROVED AS TO FORM AND LEGALITY



MICHAEL J. HOPPER
Department of the Corporation Counsel
County of Maui
paf:scj:16-069a

ORDINANCE NO. _____

BILL NO. _____

A BILL FOR AN ORDINANCE TO AMEND THE WEST MAUI
COMMUNITY PLAN AND LAND USE MAP FROM PARK TO BUSINESS,
FOR PROPERTIES SITUATED AT LĀHAINĀ, MAUI, HAWAI'I

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

SECTION 1. Pursuant to Chapter 2.80B, Maui County Code, the West Maui Community Plan and Land Use Map is hereby amended from Park to Business for property situated at Lahaina, Maui, Hawaii, and identified for real property tax purposes by Tax Map Key No. (2)4-4-001:010 (por.) and (2)4-4-014:006 (por.), comprising approximately 0.049 acre, and more particularly described in Exhibit "A", attached hereto and made a part hereof, and in Community Plan Map No. CP-____, 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:

Deputy Corporation Counsel
County of Maui

EXHIBIT "1"

COMMUNITY PLAN MAP CP-___

COMMUNITY PLAN AMENDMENT FROM PARK TO BUSINESS

Being a portion of Lot D-1-A-1 of the North Beach Subdivision IIA, being also portions of Royal Patent 6297, Land Commission Award 6601 to Piimoku, Royal Patent 7817, Land Commission Award 5005-B to John White and Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd. Situate at Honokowai, Lahaina (Kaanapali), Maui, Hawaii.

Beginning at the Northeast corner of this parcel of land, along the South side of Roadway Lot 11 (Kaanapali Place) of Land Court Application 485 (Map 4), being also an azimuth and distance of $94^{\circ}25'$ and 161.12 feet from the Northeast corner of Lot D-1-A-1 of the North Beach Subdivision II, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MANINI", being 7,188.41 feet North and 13,529.09 feet West and running by azimuths measured clockwise from true South:

1. 16° $10'$ 357.06 feet along the remainder of Lot D-1-A-1 of the North Beach Subdivision IIA, being also the remainders of Royal Patent 6297, Land Commission Award 6601 to Piimoku, Royal Patent 7817, Land Commission Award 5005-B to John White and Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd;

2. 100° $20'$ 6.01 feet along the remainder of Lot D-1-A-1 of the North Beach Subdivision IIA, being also the remainder of Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd;

3. 196° $10'$ 356.43 feet along the remainder of Lot D-1-A-1 of the North Beach Subdivision IIA, being also the remainders of Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd., Royal Patent 7817, Land Commission Award 5005-B to John White and Royal Patent 6297, Land Commission Award 6601 to Piimoku;



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

501 SUMNER STREET, SUITE 521
HONOLULU, HAWAII 96817-5031

CIVIL ENGINEERS • SURVEYORS
1671 WILI PA LOOP, SUITE A
WAILUKU, MAUI, HAWAII 96793

100 PAUAAHI STREET, SUITE 207
HILO, HAWAII 96720

4. 274° 25'

6.11 feet along Roadway Lot 11 (Kaanapali Place) of Land Court Application 485 (Map 4) to the point of beginning and containing an area of 0.049 acre.

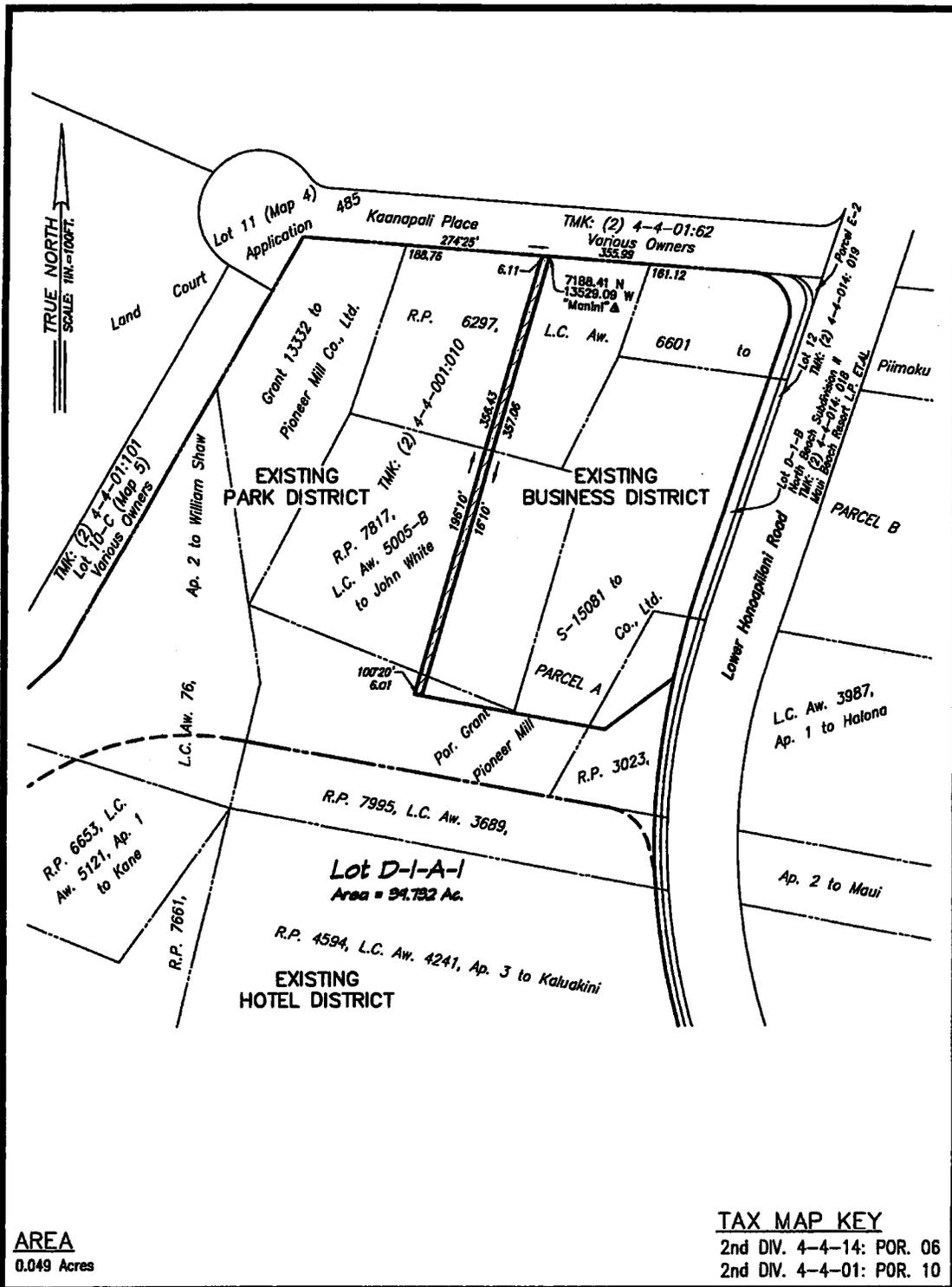
Description Prepared By:

AUSTIN, TSUTSUMI & ASSOCIATES, INC.

ERIK S. KANESHIRO
Licensed Professional Land Surveyor
Certificate No. 9826

Honolulu, Hawaii
March 4, 2016
TMK: (2) 4-4-14: Por. 06
(2) 4-4-01: Por. 10





AREA
0.049 Acres

TAX MAP KEY
2nd DIV. 4-4-14: POR. 06
2nd DIV. 4-4-01: POR. 10

COMMUNITY PLAN MAP NO. CP-
COMMUNITY PLAN AMENDMENT- HONOKOWAI, LAHAINA (KAANAPALI),
MAUI, HAWAII
FROM PARK DISTRICT TO BUSINESS DISTRICT

APPROVED: _____
COUNTY CLERK DATE

APPROVED: _____
PLANNING DIRECTOR DATE

PUBLIC HEARING:
ADOPTED-COUNCIL:
ADOPTED-MAYOR:
ORDINANCE:

DATE: _____

SCALE: 1"=100'

OFFICE OF THE COUNTY CLERK CP-
200 High Street, Wailuku, Maui, Hawaii, 96793

ORDINANCE NO _____

BILL NO _____

A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM
PK GENERAL PARK DISTRICT TO B-2 COMMUNITY BUSINESS DISTRICT
FOR APPROXIMATELY 0.049 ACRE FOR PROPERTIES SITUATED
AT LĀHAINĀ, MAUI, HAWAI'I

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

SECTION 1. Pursuant to Chapters 19.18 and 19.510.060 Maui County Code a change in zoning from PK General Park District to B-2 Community Business District is hereby granted for certain parcels of land situated at Lāhainā, Maui, Hawai'i and identified for real property tax purposes by tax map keys (2) 4-4-001: 010 (por.) and (2) 4-4-014: 006 (por.) comprising approximately 0.049 acre and more particularly described in Exhibit A attached hereto and made a part hereof and in Land Zoning Map L-____, 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:

Deputy Corporation Counsel
County of Maui

EXHIBIT "2"

LAND ZONING MAP L-_____

CHANGE IN ZONING FROM PK GENERAL PARK DISTRICT
TO B-2 COMMUNITY BUSINESS DISTRICT

Being a portion of Lot D-1-A-1 of the North Beach Subdivision IIA, being also portions of Royal Patent 6297, Land Commission Award 6601 to Piimoku, Royal Patent 7817, Land Commission Award 5005-B to John White and Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd. Situate at Honokowai, Lahaina (Kaanapali), Maui, Hawaii.

Beginning at the Northeast corner of this parcel of land, along the South side of Roadway Lot 11 (Kaanapali Place) of Land Court Application 485 (Map 4), being also an azimuth and distance of 94°25' and 161.12 feet from the Northeast corner of Lot D-1-A-1 of the North Beach Subdivision II, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MANINI", being 7,188.41 feet North and 13,529.09 feet West and running by azimuths measured clockwise from true South:

1. 16° 10' 357.06 feet along the remainder of Lot D-1-A-1 of the North Beach Subdivision IIA, being also the remainders of Royal Patent 6297, Land Commission Award 6601 to Piimoku, Royal Patent 7817, Land Commission Award 5005-B to John White and Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd;
2. 100° 20' 6.01 feet along the remainder of Lot D-1-A-1 of the North Beach Subdivision IIA, being also the remainder of Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd;
3. 196° 10' 356.43 feet along the remainder of Lot D-1-A-1 of the North Beach Subdivision IIA, being also the remainders of Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd., Royal Patent 7817, Land Commission Award 5005-B to John White and Royal Patent 6297, Land Commission Award 6601 to Piimoku;



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CIVIL ENGINEERS • SURVEYORS
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WAILUKU, MAUI, HAWAII 96783

100 PALUAI STREET, SUITE 207
HILO, HAWAII 96720

4. 274° 25'

6.11 feet along Roadway Lot 11 (Kaanapali Place) of Land Court Application 485 (Map 4) to the point of beginning and containing an area of 0.049 acre.

Description Prepared By:

AUSTIN, TSUTSUMI & ASSOCIATES, INC.

ERIK S. KANESHIRO
Licensed Professional Land Surveyor
Certificate No. 9826

Honolulu, Hawaii
March 4, 2016
TMK: (2) 4-4-14: Por. 06
(2) 4-4-01: Por. 10

-2-



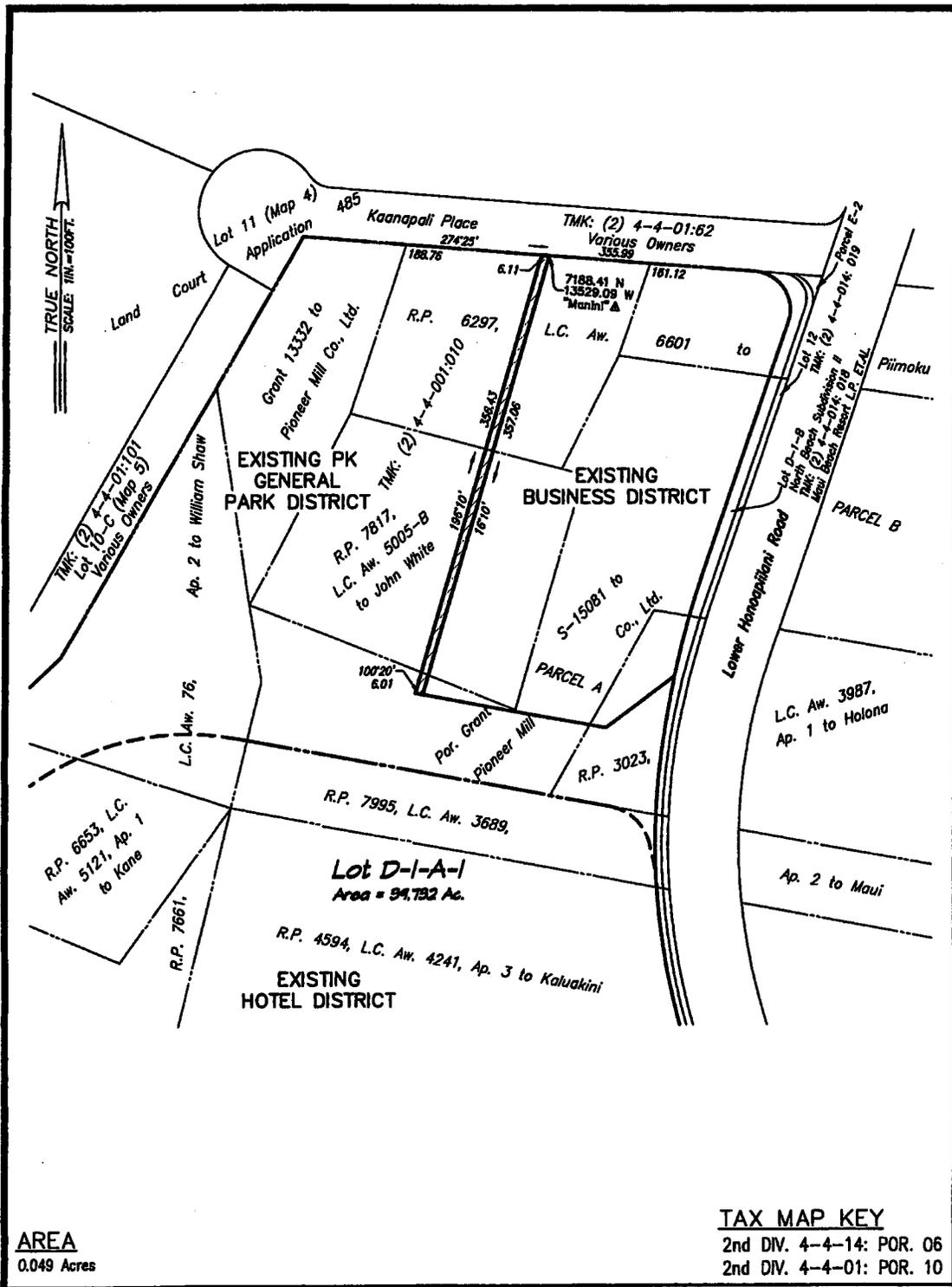
AUSTIN, TSUTSUMI & ASSOCIATES, INC.

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1871 WILI PA LOOP, SUITE A
WAILUKU, MAUI, HAWAII 96793

100 PAUHI STREET, SUITE 213
HILO, HAWAII 96720



AREA
0.049 Acres

TAX MAP KEY
2nd DIV. 4-4-14: POR. 06
2nd DIV. 4-4-01: POR. 10

LAND ZONING MAP NO. L-
CHANGE IN ZONING - HONOKOWAI, LAHAINA (KAANAPALI), MAUI, HAWAII
FROM PK GENERAL PARK DISTRICT TO B-2 COMMUNITY BUSINESS DISTRICT

APPROVED: _____ COUNTY CLERK DATE	PUBLIC HEARING: ADOPTED-COUNCIL: ADOPTED-MAYOR: ORDINANCE:
APPROVED: _____ PLANNING DIRECTOR DATE	DATE: _____
SCALE: 1"=100'	

OFFICE OF THE COUNTY CLERK
200 High Street, Wailuku, Maui, Hawaii, 96793