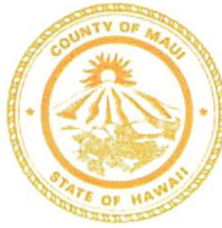


RICHARD T. BISSEN JR.
Mayor

KATHLEEN ROSS AOKI
Acting Planning Director

GARRETT E. SMITH
Deputy Director



RECEIVED
2023 FEB 16 AM 10:54
OFFICE OF THE
COUNTY CLERK

DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

February 15, 2023

Honorable Richard T. Bissen, Jr.
County of Maui
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Richard T. Bissen Jr. 2/16/2023
Mayor Date

For Transmittal to:

Honorable Chair Alice L. Lee
and Members of the Maui County Council
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Lee and Members:

**SUBJECT: DISTRICT BOUNDARY AMENDMENT (DBA) FOR THE
KUIKAHI AFFORDABLE HOUSING COMMUNITY
(ZPA2022-00004)**

The Department of Planning (Department) is transmitting for your review and action the proposed District Boundary Amendment, summarized as follows:

APPLICATION SUMMARY	
Action	District Boundary Amendment
Applicant	Maui County Council via Resolution 22-217
Owner	Kuikahi Properties LLC
Tax Map Key	(2) 3-5-002:003
Address	Along Kuikahi Drive, Wailuku, Island of Maui, Hawaii
Area	Approximately 14.9 acres
Current Land Use Designations	State: Agricultural District Maui Island Plan: Urban and Rural Growth Boundary, outside Protected Areas Wailuku-Kahului Community Plan: Agriculture Maui County Zoning: Agricultural District Other: None
Brief Description	State Land Use District classification amendment from Agricultural District to Urban District for the proposed 202-unit Kuikahi Affordable Housing Community.

Honorable Richard T. Bissen, Jr.
For Transmittal to:
Honorable Chair Alice L. Lee
February 15, 2023
Page 2

APPLICATION SUMMARY	
Public Hearing	Held by Maui Planning Commission (Commission) on November 7, 2022, in Wailuku, Maui, Hawaii via hybrid meeting.
Testimony	None
Recommendation	The Commission recommended approval of the subject proposed DBA.

The Commission reviewed the subject proposal at its November 7, 2022, public meeting and recommended approval of the District Boundary Amendment to the Maui County Council (Council) subject to the following conditions:

1. That the property be developed as a 100% residential workforce housing project in accordance with the 2.97 Resolution.
2. That the property shall be developed in substantial compliance with the representations made to the Maui Planning Commission and Maui County Council in obtaining the 2.97 Resolution and the State District Boundary Amendment.

As Council approval is required, the Department respectfully transmits the subject application to the Council for consideration. Accordingly, attached for your review are the following documents:

1. Resolution NO. 22-217, "REFERRING TO THE MAUI PLANNING COMMISSION BILL 127 (2022), AMENDING THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL DISTRICT TO URBAN DISTRICT (CONDITIONAL BOUNDARY AMENDMENT) FOR THE PROPOSED KUIKAHI VILLAGE WORKFORCE HOUSING PROJECT IN WAILUKU, MAUI, HAWAI'I".
2. Proposed bill entitled, "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL DISTRICT TO URBAN DISTRICT (CONDITIONAL BOUNDARY AMENDMENT) FOR PROPERTY SITUATED AT WAILUKU, MAUI, HAWAI'I, TAX MAP KEY NOS., (2) 3-5-002:003 (POR.), CONTAINING A TOTAL OF 14.97 ACRES".
3. Land Use District Boundary Amendment Map No. 414.
4. Department of Planning Report and Recommendation, including agency comments, to the Commission dated November 7, 2022 (*due to the size of the report and its exhibits, this item is being provided via a flash drive*).
5. Adopted Minutes of the November 7, 2022, Commission meeting.

Honorable Richard T. Bissen, Jr.
For Transmittal to:
Honorable Chair Alice L. Lee
February 15, 2023
Page 3

Thank you for your attention to this matter. Should you have any questions, please feel free to transmit them to the Department of Planning via transmittal through the Office of the Mayor.

Sincerely,

A handwritten signature in black ink that reads "Kathleen Ross Aoki". The signature is written in a cursive, flowing style.

KATHLEEN ROSS AOKI
Acting Planning Director

Attachments

xc: Maui Planning Commission Members (PDF)
Ann T. Cua, Planning Program Administrator (PDF)
Danny Dias, Land Use Planning Supervisor (PDF)
Clayton I. Yoshida, Supervising Staff Planner (PDF)
Project File

KRA:ATC:DD:lp

K:\WP_DOCS\Planning\ZPA\00004_KuikaiVillageCIZ\CouncilTransmittal.doc

Resolution

No. 22-217

REFERRING TO THE MAUI PLANNING
COMMISSION BILL 127 (2022), AMENDING THE
STATE LAND USE DISTRICT CLASSIFICATION
FROM AGRICULTURAL DISTRICT TO URBAN
DISTRICT (CONDITIONAL BOUNDARY
AMENDMENT) FOR THE PROPOSED KUIKAHI
VILLAGE WORKFORCE HOUSING PROJECT IN
WAILUKU, MAUI, HAWAII

WHEREAS, the Council is considering Bill 127 (2022), to amend the State Land Use District Classification from Agricultural District to Urban District (Conditional Boundary Amendment) for the proposed Kuikahi Village Workforce Housing Project on 14.97 acres in Wailuku, Maui, Hawai'i; and

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

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

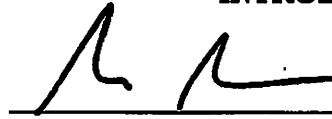
1. That it refers Bill 127 (2022), entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL DISTRICT TO URBAN DISTRICT (CONDITIONAL BOUNDARY AMENDMENT) FOR PROPERTY SITUATED AT WAILUKU, MAUI, HAWAII, TAX MAP KEY NOS. (2) 3-5-002:003 (POR.), CONTAINING A TOTAL OF 14.97 ACRES," attached as Exhibit "1," to the Maui Planning Commission for findings and recommendations under 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

Resolution No. 22-217

3. That certified copies of this Resolution be transmitted to the Maui Planning Commission; Michele Chouteau McLean, AICP, Planning Director, County of Maui; and the Honorable Michael P. Victorino, Mayor, County of Maui

ah:misc:036areso01:pmg

INTRODUCED BY:

A handwritten signature in black ink, appearing to be 'Gabe Johnson', written over a horizontal line.

GABE JOHNSON

COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that RESOLUTION NO. 22-217 was adopted by the Council of the County of Maui, State of Hawaii, on the 20th day of September, 2022, by the following vote:

MEMBERS	Alice L. LEE Chair	Keani N. W. RAWLINS- FERNANDEZ Vice-Chair	Gabriel JOHNSON	Natalie A. KAMA	Kelly T. KING	Michael J. MOLINA	Tamara A. M. PALTIN	Shane M. SINENCI	Yuki Lei K. SUGIMURA
ROLL CALL	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye


COUNTY CLERK

ORDINANCE NO. _____

BILL NO. 127 (2022)

**A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE
DISTRICT CLASSIFICATION FROM AGRICULTURAL DISTRICT
TO URBAN DISTRICT (CONDITIONAL BOUNDARY AMENDMENT) FOR
PROPERTY SITUATED AT WAILUKU, MAUI, HAWAII, TAX MAP KEY NOS. (2) 3-
5-002:003 (POR.), CONTAINING A TOTAL OF 14.97 ACRES**

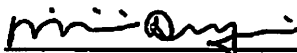
BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Pursuant to Section 205-3.1, Hawaii Revised Statutes, and Chapter 19.68, Maui County Code, the State Land Use District Classification is reclassified from the Agricultural District to the Urban District (Conditional Boundary Amendment) for that certain land situated at Wailuku, Maui, Hawaii, and identified for real property tax purposes by Tax Map Key Nos. (2) 3-5-002:003 (por.), containing a total of 14.97 acres, and more particularly described in Exhibit "A" attached hereto and made a part hereof, and in the proposed District Boundary Amendment Map, attached hereto as Exhibit "B" and made a part hereof.

SECTION 2. Pursuant to Section 19.68.040, Maui County Code, the State Land Use District classification granted by this ordinance is subject to the conditions set forth in Exhibit "C", attached hereto and made a part hereof, and in the Unilateral Agreement and Declaration of Conditions for State Land Use District Boundary Amendment, attached hereto and made a part hereof as Exhibit "D", which shall be executed and recorded in the Bureau of Conveyances of the State of Hawaii.

SECTION 3. This ordinance shall take effect upon its approval.

**APPROVED AS TO FORM
AND LEGALITY:**



Deputy Corporation Counsel
County of Maui
2019-2060
2020-07-08 Ordinance DBA

EXHIBIT "1"

INTRODUCED BY:



Upon the request of the Mayor.

Exhibit "A"

A PORTION OF LOT 4-A

Of the Wailuku Heights Subdivision
(Subdivision No. 3.2099)

Being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 2007, Apana 3 to J. Richardson, Royal Patent Number 5926, Land Commission Award Number 8875 to Kanaina, Royal Patent Number 2004, Land Commission Award Number 920, Apana 2 to John Richardson & Co., Royal Patent Grant Number 2070 to John Richardson, Royal Patent Number 7659, Land Commission Award Number 326 to William Humphreys, and Royal Patent Number 4529-B and 4549, Land Commission Award Number 71 to Michael J. Nowlein

at
Wailuku & Waikapu, Maui, Hawaii

Beginning at the Northwestern corner of this parcel. Also, being the Northeastern corner of being Lot 4-B, Of the Wailuku Heights Subdivision (Subdivision No. 3.2099), being a portion of Royal Patent 7659, Land Commission Award 326, to W. M. Humphreys. The coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 4,873.58 feet South and 5,269.27 feet West and running by azimuths measured clockwise from true South:

1. Thence along a curve to the left with a radius of 1065.74 feet, the direct azimuth and distance being:

250° 22' 59.5" 935.49 feet along Kuikahi Drive;
2. 224° 21' 199.91feet along the same;
3. 4° 20' 10.00 feet along a portion of Lot 4-A, being a portion of Land Commission Award Number 71 to Michael J. Nowlein;
4. Thence along a curve to the left with a radius of 50.00 feet, the direct azimuth and distance being:

339° 40' 41.73 feet along the same;
5. 315° 00' 91.86 feet along the same;

6. Thence along a curve to the right with a radius of 200.00 feet, the direct azimuth and distance being:

0° 15' 284.07 feet along a portion of Lot 4-A, being a portion of Land Commission Award Number 71 to Michael J. Nowlein and a portion of Royal Patent Number 7659, Land Commission Award Number 326 to William Humphreys;

7. 45°30' 3.28 feet along a portion of Lot 4-A, being a portion of Royal Patent Number 7659, Land Commission Award Number 326 to William Humphreys;

8. Thence along a curve to the left with a radius of 190.00 feet, the direct azimuth and distance being:

22° 38' 47" 147.58 feet along the same;

9. Thence along a curve to the right with a radius of 50.00 feet, the direct azimuth and distance being:

29° 27' 01" 49.48 feet along the same;

10. Thence along a curve to the left with a radius of 148.00 feet, the direct azimuth and distance being:

10° 32' 44" 221.90 feet along the same;

11. 51° 59' 38.17 feet along the same;

12. 14° 30' 94.56 feet along the same;

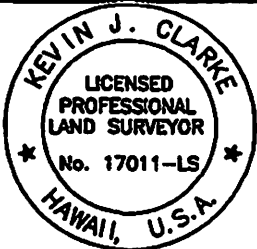
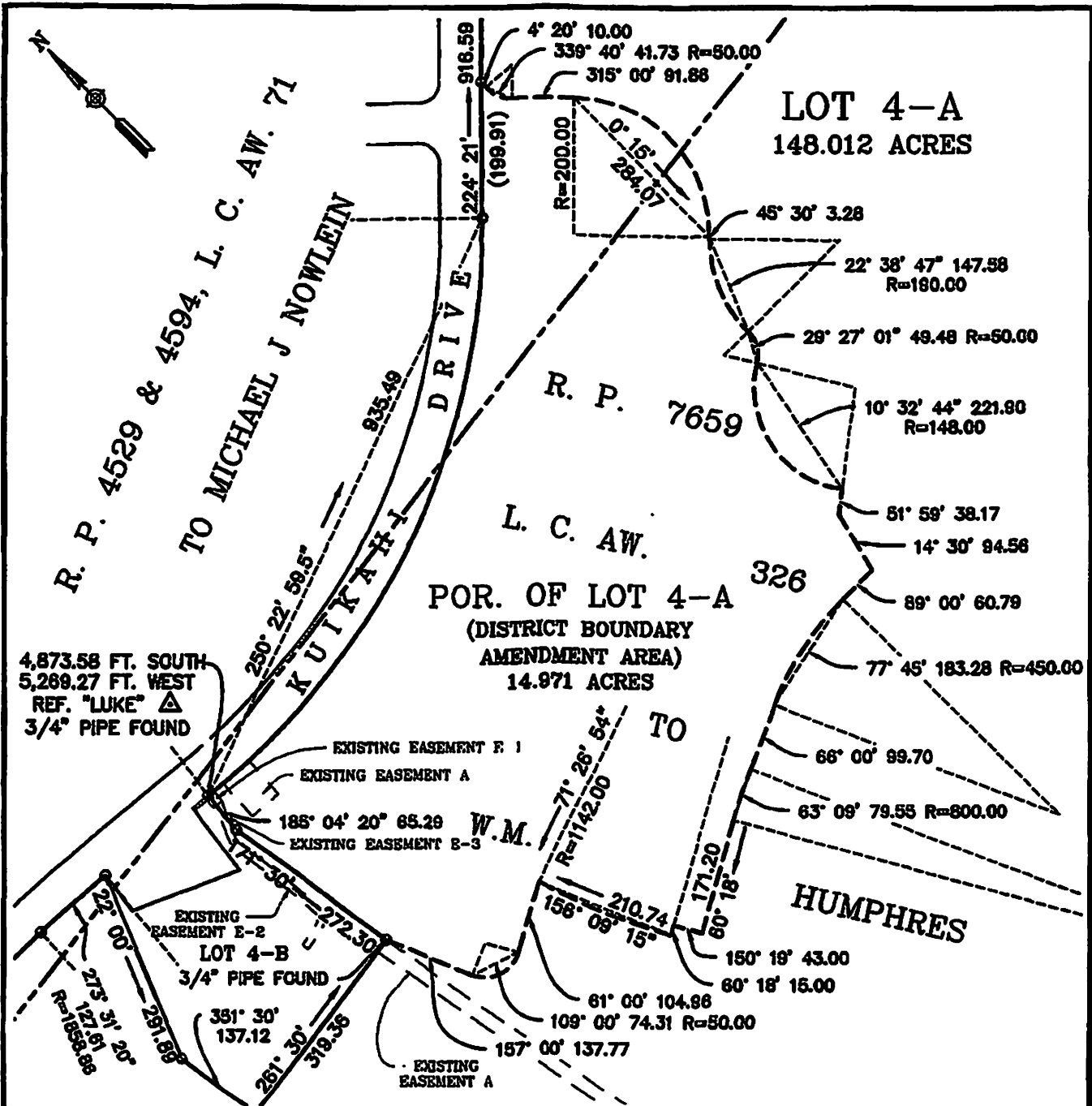
13. 89°00' 60.79 feet along the same;

14. Thence along a curve to the left with a radius of 450.00 feet, the direct azimuth and distance being:

77° 45' 183.28 feet along the same;

15. 66°00' 99.70 feet along the same;
16. Thence along a curve to the left with a radius of 800.00 feet, the direct azimuth and distance being:
- 63° 09' 79.55 feet along the same;
17. 60° 18' 171.20 feet along the same;
18. 150°19' 43.00 feet along the same;
19. 60° 18' 15.00 feet along the same;
20. Thence along a curve to the right with a radius of 1142.00 feet, the direct azimuth and distance being:
- 156° 09' 15" 210.74 feet along the same;
21. 61°00' 104.96 feet along the same;
22. Thence along a curve to the right with a radius of 50.00 feet, the direct azimuth and distance being:
- 109° 00' 74.31 feet along the same;
23. 157° 00' 137.77 feet along the same;
24. 171° 30' 272.30 feet along Lot 4-B, Of the Wailuku Heights Subdivision (Subdivision No. 3.2099), being a portion of Royal Patent 7659, Land Commission Award 326, to W. M. Humphreys;
25. 185° 04' 20" 65.29 feet along the same to the point of beginning and containing an area of 14.971 acres more or less;

Exhibit "B"



EXP. 04/2024

**THIS PLAT WAS PREPARED BY ME OR
UNDER MY DIRECT SUPERVISION.**

T.M.K: (2) 8-5-002: 003

LOT SURVEY PLAT

**A PORTION OF LOT 4-A OF THE WAILUKU HEIGHTS
SUBDIVISION (SUBDIVISION NO. 3.2099)**

SITUATED AT WAIKAPU & WAILUKU, MAUI, HAWAII

PREPARED FOR:

**WAIHEE VALLEY
REGENESIS LLC**
191 WAIHEE VALLEY ROAD
WAILUKU, HI. 96793

PREPARED BY:

CLARKES LAND SURVEYING
PO BOX 632423
KIHU, MAUI, HAWAII 96753

DATE: AUGUST 8, 2022

SCALE: 1" = 20'

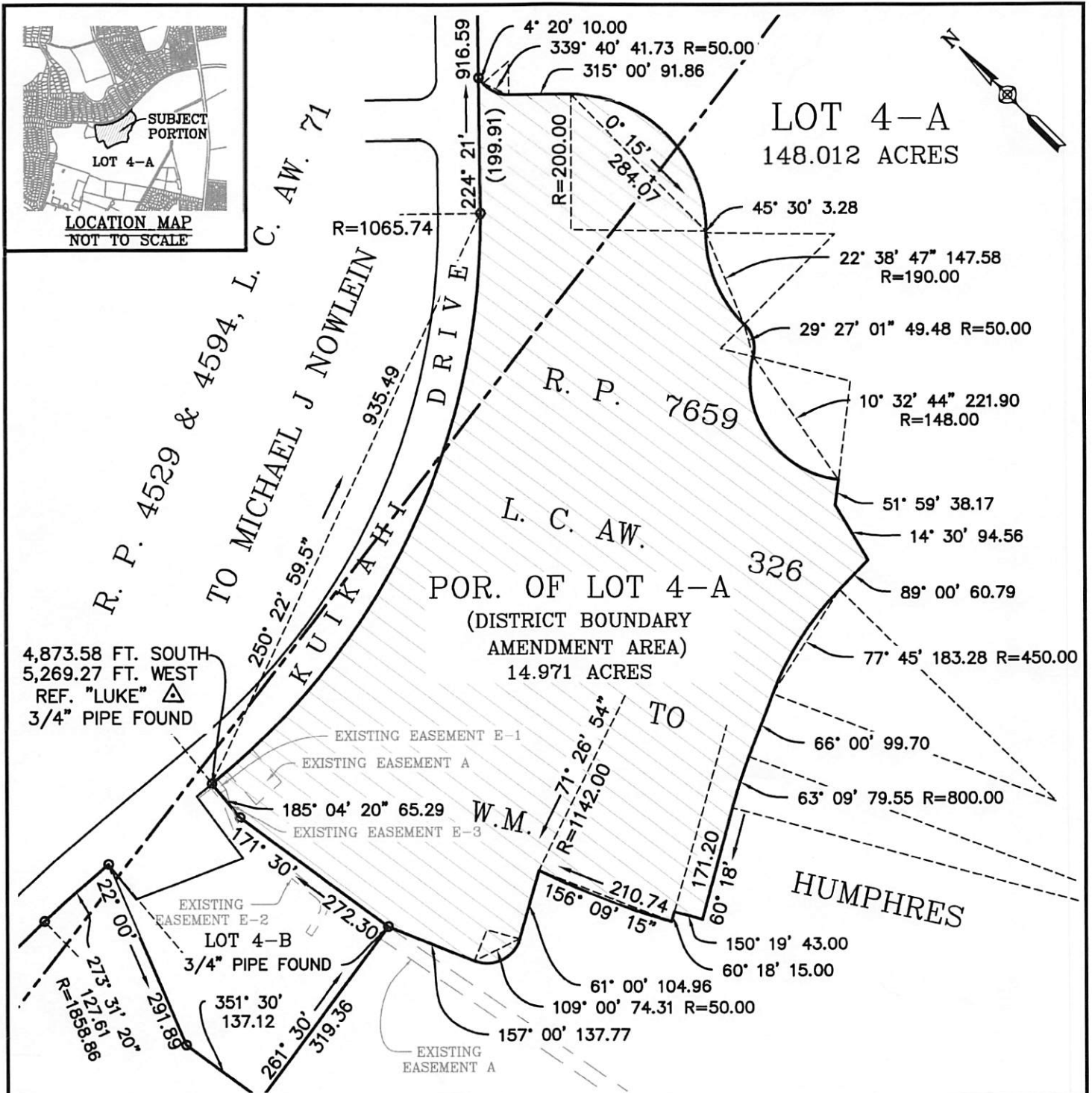
EXHIBIT "C"

CONDITIONS

1. This ordinance is conditional upon the Council's passage of a Resolution approving, with or without modifications, the independent development of Kuikahi Village Residential Workforce Housing project pursuant to Chapter 2.97, Maui County Code (the "2.97 Resolution").
2. The Property shall be developed as a 100% residential workforce housing project in accordance with the 2.97 Resolution.
3. The Property shall be developed in substantial compliance with the representations made to the Maui County Council in obtaining the 2.97 Resolution and the State District Boundary Amendment.

EXHIBIT "D"

[Unilateral Agreement and Declaration of Conditions]



Land Use District Boundary Amendment Map No. 414

District Boundary Amendment

Waikapu & Wailuku, Maui, Hawaii

From Agricultural District to Urban District

T.M.K.: (2) 3-5-002: 003

SCALE: 1" = 20'

DATE: JANUARY 3, 2023